

**Arizona Department of Transportation
Public Transportation Division**



**Rural Public Transportation Program
Section 5311**

**GUIDELINES AND APPLICATION
FY 2005 – 2006**

**Arizona Department of Transportation
Public Transportation Division
206 South 17th Avenue, MD 340B
Phoenix, AZ 85007**

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GUIDELINES



I. GENERAL GUIDELINES

A. BACKGROUND

The Arizona Department of Transportation is pleased to announce the availability of Federal Transit Administration (FTA) funds for Rural Public Transportation and Intercity Service (Section 5311) to be used for transportation services for the general public. The Rural Public Transportation and Intercity funds are available to non-urbanized or rural communities with less than 50,000 people.

The funds are available through ADOT-PTD on a competitive basis under the FTA 49 USC, Section 5311 Program, and may be used by successful applicants for the operation of transportation systems and for related administrative expenses. Funding for the Rural Public Transit Program fiscal year October 1, 2005 through September 30, 2006 appropriated by the FTA is expected to be approximately \$2 million. Additional funds from Yuma Section 5307, flexible funding, and previous grants may become available for capital expenditures during the fiscal year. Application for capital assistance for current Rural Public Transportation projects will be solicited in this application package. Funding will be determined after operational requests have been adjudicated. ADOT-PTD expects to be able to fund approximately 15 projects with these funds.

ADOT-PTD utilizes the Transit Automated Programs Systems (TAPS), a multi-year effort to update and improve the quality of its transit asset management system. This system is the primary ADOT-PTD information tool to manage Section 5311 grant funds.

The ADOT-PTD TAPS system is used to make funding decisions and it is **mandatory** that applicants include all vehicle or facility requests in their application, as well as identify existing vehicles or facilities within their fleets that might qualify for replacement. Any requests for additional capital or operating funding will be evaluated based on program criteria and on the information contained in the ADOT-PTD TAPS system.

Through the Rural Public Transportation Program, ADOT-PTD also provides federal funds for planning assistance to eligible recipients. The federal share of planning funds is not to exceed 80 percent of the net project cost. Funding may be revised as circumstances dictate.

In 1978, adding Section 18 Rural Transportation, which was later changed to Section 5311 within 49 U.S.C § 5311, amended the Urban Mass Transit Act of 1964. This program is currently referred to in Arizona as the “Rural Public Transportation Section 5311 Program.” Section 5311 authorizes the establishment of a grant program, which provides capital, administrative and operating assistance for public transportation programs in rural and small urban areas (under 50,000 population). Federal funds are apportioned among the States, which have the primary responsibility for administering the program. In 1998, the Transportation Equity Act of the 21st Century or TEA-21 was enacted re-authorizing the surface transportation program for six years.

In Arizona, ADOT-PTD is the agency responsible for overall administration of the Section 5311 Program, which henceforth is referred to as the Rural Public Transportation Program.

In addition to the financial assistance available under this program, ADOT-PTD also provides technical assistance in planning, management, and operations to rural passenger transportation programs throughout the State. ADOT-PTD staff participates in regional and State agency level advisory committees in order to better coordinate the State’s management of passenger transportation programs.

The Rural Public Transportation Guidelines are also the State Management Plan for this program. The State Management Plan (SMP) summarizes the federal involvement in the Rural Public Transportation Program and explains how ADOT-PTD administers this program.

The ADOT-PTD coordination of the Elderly and Persons with Disabilities Transportation Program Section 5310 Program and the State Transit Planning Program adds to the effective statewide coordination of passenger transportation programs.

The Transportation Equity Act for the 21st Century (TEA-21), set to expire September 30, 2004, has been extended. Currently under consideration by Congress is SAFETEA. SAFETEA is legislation to reauthorize the range of federal highway, public transportation, highway safety and motor carrier safety programs for 6 years from fiscal years 2004 through 2009.

Under current authorization (TEA 21), transit facilities within public lands, national parks, and Indian reservations are an eligible use of Indian Reservation Road funds (Chapter 2,

Title 23). These funds will be administered directly by the appropriate federal land management agency (e.g., the Bureau of Indian Affairs for the Indian Reservations Roads Program), but must be included within the State Transportation Improvement Program [49 U.S.C. 5304(c) (6)]. In developing its Section 5311 application to the FTA, ADOT-PTD and its Council of Governments (COG) and Metropolitan Planning Organizations (MPO) reviewers will evaluate the impact of any transit projects that tribes may have developed with Indian Reservation Roads Program funding.

For inquiries regarding the Section 5311 Program

ARIZONA DEPARTMENT OF TRANSPORTATION / ADOT

Public Transportation Division

206 South 17th Avenue, #340B

Phoenix, Arizona 85007

Matt Carpenter, Program Manager

TELEPHONE: 602.712-6790

FACSIMILE: 602.712.3046

E-mail: mcarpenter@azdot.gov

B. PROGRAM UPDATE

Web Site

A dedicated ADOT-PTD Transit Program Website on the Internet, was published in 1998, and continues to be conveniently accessed through the ADOT-PTD home page at **<http://tpd.az.gov/transit/>**. At this address, readers should find a variety of topics appropriate to their areas of interest that pertain to ADOT-PTD's two major transit programs, air quality endeavors, and upcoming events. Readers should periodically check this web site for Section 5311 and other Transit Program updates within ADOT-PTD.

Reporting & Review

A vehicle inspection and reporting process was instituted with Program recipients, with emphases on insurance requirements, timely lien releases, and also billings and contract deliverables. Within these Guidelines you will find additional information regarding federal program requirements and enhancements to the vehicle recipient reporting process as well as revised record-keeping requirements and formats.

Welfare to Work/Access to Jobs

With the passage of national and local Welfare-to-Work (WTW) initiatives, increasing pressure is placed on local social service providers to assist in meeting the challenge of providing transportation services for WTW participants. TEA-21 currently contains provisions for competitive "Access to Jobs" and "Reverse Commute" grants for local entities, which potentially includes a larger group of economically disadvantaged clientele. Applicants should investigate opportunities to coordinate service and leverage funding opportunities available through these programs.

The Section 5311 Rural Public Transportation Program will continue to take a leadership role in recommending coordinating transportation resources for welfare reform activities. ADOT-PTD encourages active transit systems to contact their local Department of Labor Jobs programs and the federal Department of Health and Human Services and Arizona Department of Economic Security Temporary Assistance to Needy Families (TANF) for guidance and funding information.

ADOT-PTD requires recipients to indicate in the application if they are planning to participate in these activities. Implementation for the needed links between transportation and welfare are resulting in a number of national demonstration programs that are attempting to develop effective strategies to assist clients to achieve their goals.

Substance Abuse Compliance Audits

Consistent with FTA's oversight responsibilities, FTA has initiated a program of transit system audits assessing compliance with the drug and alcohol testing regulations (49 CFR Part 653 and Part 654). A team of FTA experts performs the audits. Audits are comprehensive in nature, including a review of each agency's policies, procedures and record keeping. As part of ADOT-PTD's commitment and compliance within the FTA Substance Abuse Program, it continually works with eligible recipients and a consultant to prepare for these audits.

Training Emphasis

Participation in ADOT-PTD sponsored workshops is included in this year's selection criteria and application. Future workshops will include Financial Management, Transit Managers Training and Passenger Assistance Training. Attendance at the Arizona Transit Association Conference (AZTA) and the Section 5311 Fall Conference will be highly recommended.

Surface Transportation Program (STP) Flexible Funding

In previous years, the State Transportation Board has made available approximately \$5 million for funding eligible transportation projects annually throughout the State, including transit projects. The STP program is one of the programs within TEA-21 and is flexible in the type of projects that are eligible. As the State Transportation Board made this funding eligible for transit, the STP funding is eligible only to those municipalities and counties that participate in Federal Transit Administration (FTA) programs.

For FY 2005/2006, ADOT-PTD allocated over \$960,000 of STP funding to be eligible for capital funding. One of the benefits of the STP program is that local match rates are less than the Section 5311 program. Therefore if applicable, the STP capital program match rate for FY 2005/2006 could consist of 93 percent federal funding with a local match of 7 percent (match rate contingent on availability of STP funding).

C. PROGRAM TIMETABLE

Section 5311 Timetable for FY 2005-2006

FTA Section 5311 Budget Authorization Amount for FY 2005/2006	January 2005
Guidelines / Application Distribution	January 2005
Applicants Conference Workshops	January 2005
Application Deadline	February 25, 2005
ADOT-PTD Staff Review and Comments	February 2005
Comments due from COGs	March 15, 2005
Review Panel Interviews	March 2005
Budget Negotiation Meetings	April 2005
Deadline for Budget Modifications	April 2005
Budget Application due to FTA	June 2005
ADOT-PTD notify Applicants of status	June 2005
Mail Contracts to Applicants	June 2005
Pre-Award Audits (if applicable)	July 2005
Contract must be signed by Secretary of State no later than	September 30, 2005
Project Start-Up	October 1, 2006

D. PROGRAM GOALS

Appropriateness of Service - Provide otherwise unavailable transit services that address clearly identified needs.

Utilization of Service - Extend transit services to the greatest number of passengers for the most critical areas of need.

Coordination of Service - Maximize the use of available resources through coordination and joint planning with all service area transportation providers. Applicants should be particularly aware of opportunities within their community or region that could leverage Section 5311 funding with STP flexible funding, as well as other State and federal funding initiatives, such as, “Temporary Assistance to Needy Families” (TANF), “Welfare to Work”, “Access to Jobs”, and “Reverse Commute” programs.

Accessibility, Safety & Training Programs - Provide service that recognizes the needs of disabled and physically challenged patrons. Demonstrate competence in driver training and ability is required, as is a strong commitment to providing a safe ride for all passengers in a drug and alcohol-free environment. Develop well-trained transit staff through the availability of ADOT-PTD and/or other training programs. Comply with all applicable State and Federal non-discrimination laws, statutes and regulations.

Financial & Management Capability - Demonstrate competence in the effective management of funds and administration of programs addressing transportation and/or other public needs. Applicants should also seek to take maximum advantage of opportunities to leverage local LTAF II funding, which can be utilized to fulfill local Section 5311 match requirements.

Local Commitment to Transit - Receive financial assistance for local transit operations and seek involvement in planning and policy decisions by local governments and community groups.

Economic Development Impacts - Utilize transit programs to support development of new local services and industries, and to provide service in support of existing local industries, commercial and employment areas.

Civil Rights Requirements - Ensure that recipients will not discriminate because of race, color, creed, sex, disability, age or national origin. Comply with all applicable State and Federal non-discrimination laws, statutes and regulations.

E. APPLICATION REVIEW PROCESS

Other agencies that may provide technical or financial assistance in the area of rural passenger transportation include the four rural Councils of Government (COGs) and, the four Metropolitan Planning Organizations (MPO's). *See the State and Regional Program Contact Section for a list of addresses and phone numbers.* Councils of Government may also provide help to applicants in obtaining data and maps, coordinating with other agencies, and insuring public involvement. Councils of Government will review the recommendations and comment on each application received from their planning area. ADOT-PTD will consider COG comments and recommendations when reviewing applications for final funding.

An advisory review panel consisting of individuals with rural transit knowledge will interview each applicant. ADOT-PTD shall ensure that the elderly and disabled are represented in the review panel. They will rank the applicants according to the evaluation criteria contained in this document. **It is important that you refer to these criteria when answering the questions in the application.** The panel will submit their recommendations to ADOT-PTD staff for review. ADOT-PTD staff will discuss program issues with each applicant. The Section 5311 Public Transportation Section Manager and the Public Transportation Division Director will approve final scopes and budgets.

F. PROJECT SELECTION CRITERIA

Applications will be evaluated based on current performance, contract deliverables (in case of current projects) and on the following evaluation and selection criteria that are linked to the ADOT-PTD goals at the beginning of these Guidelines.

I. Appropriateness of Service 15 Points Maximum

- Documented demand for service in area (cite any existing needs studies)
- Estimated number of clients to be served
- The number of transit dependent clients (e.g. elderly and disabled, low income, and those who lack a personal vehicle)
- Type of service:
 - Local circular providing essential services
 - Local circular providing non-essential services
 - Regional circular providing essential services
 - Regional circular providing non-essential services
 - Appropriateness of the routes and schedules to target riders
- Assurance that persons employed and served by the agency are not discriminated against because of race, color, creed, sex, disability, age or national origin.

II. Utilization of Service 10 Points Maximum

- Service indicators (estimates for new applicants)
 - Vehicle service hours per month per route or vehicle
 - Project revenue miles per month
 - Estimated monthly passenger trips
 - Passengers per mile
 - Number and types of local activity and employment centers served
- Trip purpose and passenger type statistics.
- Intercity service percentages.
- Cost indicators (estimates for new applicants)
 - Cost per mile
 - Cost per service hour
 - Cost per passenger trip
 - Monthly fare revenues
 - Fare box recovery rate
 - Other revenue (contributions, advertising, etc.).

III. Coordination of Service

15 Points Maximum

- Level of coordination with Section 5310 recipients and Human Service Agencies within the proposed service area, which have transportation needs and/or currently, provide transportation services.
- Level of coordination with local government agencies, county government agencies, and councils of governments (COGs) in needs assessment and transportation planning.
- Demonstration of actual or anticipated operating efficiencies, elimination of duplication of services and service extensions as the result of coordination with their providers or agencies. Demonstration of operating efficiencies produced should illustrate lower costs per unit of service.
- With the passage of national and local Welfare to Work (WTW) initiatives, increasing pressure is placed on local social service providers to assist in meeting the challenge of providing transportation services for WTW participants. Demonstrate the level of involvement in the “Welfare to Work”, TANF, and “Access to Jobs” and “Reverse Commute” grant programs.

IV. Accessibility, Safety & Training

20 Points Maximum

- Awareness of the trip needs of the disabled in the planning and marketing of the service.
- Accessibility of project vehicles.
- Awareness of architectural barriers to the disabled in the built environment adjacent to service (e.g. sidewalks, curbs, shelters, other street furniture)
- Coordination agreements with paratransit providers in service area to facilitate access to general public service.
- Provision of efforts to assure drug and alcohol free workplaces and service.
- Compliance with State and federal substance abuse regulations.
- Provision for training safety sensitive and supervisory personnel.
- Relationship between your agency risk management and your Transit system.
- Attendance at ADOT-PTD sponsored training sessions and conferences

V. Financial/Management Capability 15 Points Maximum

- Qualifications and experience in transit or paratransit programs, as well as qualification and experience in grant administration, public service or governmental programs.
- Adequacy of goals, objectives, and marketing plans and strategy.

- Past performance of ADOT-PTD contract activities.
- Amount of local revenues obtained and success in working with local government and other providers.

VI. Local Commitment to Transit 15 Points Maximum

- Financial support from local government, and local match in excess of minimum requirements.
- Resolution of support from council of municipality served.
- Participation in local transportation planning and policy decisions.
- Involvement in overseeing project status with your Transit Advisory Committee (TAC).
- Promote transit service to general public and local businesses.
- Commitment to training requirements, IAW Guidelines.
- Encourage local government council support.

VII. Economic Development Impact 5 Points Maximum

- Provision of services to local employment and commercial activity centers.
- Proposed extension of service to existing and planned activity centers.
- Promotion of transit service as an aid to development.

VIII. Civil Rights Requirements 5 Points Maximum

- Compliance on hiring, terminating, promoting in accordance with Title VI, Civil Rights Act.
- History of complaints regarding compliance with Civil Rights requirements.
- Provisions of efforts to ensure employees and customers are aware of complaint process.

G. APPEAL PROCESS

All applicants will be notified in writing of funding decisions made by ADOT-PTD. Applicants will be given the opportunity to appeal the funding decisions. The applicant must use the following process to be recognized as a valid appeal. The letter of appeal must clearly identify the applicant, contact person, address, phone number, project description and grounds for appeal.

Letters of appeal must be postmarked by April 20, 2005 and mailed to Matt Carpenter, Section 5311 Program Manager, Arizona Department of Transportation – Public Transportation Division, 206 S. 17 Ave., Room 340B, Phoenix, Arizona 85007. The Section 5311 Program Manager will review the appeal with the Public Transportation Division Director and notify the applicant of the decision by April 29, 2005.

If the applicant is not satisfied with the Program Manager's response, an appeal may be made to the Department's Public Transportation Division (PTD) Director. This appeal must be submitted and postmarked by May 5, 2005. The PTD Director will provide a written response to the applicant within 30 working days of receipt of the appeal to the Director's Office.

H. PROGRAM ELIGIBILITY & RESPONSIBILITIES

Applicant Eligibility

Successful applicants for Rural Public Transportation funding will be required to meet all applicable local, Federal and State requirements. The major requirements are outlined below. In addition to reading the following abbreviated summaries, applicants are urged to read the FTA Program Circular and the applicable Office of Management and Budget Circulars for a better understanding of the federal requirements.

Eligible applicants for Rural Public Transportation funds include local public bodies (e.g., counties and municipalities) and agencies thereof, State agencies, Indian tribal organizations, and current private non-profit organizations, which are in process of transitioning to Public agency sponsorship. Governmental and Tribal agencies that participate in local and regional transportation planning efforts are the most successful applicants in this program. Historically, involvement in multi-modal planning processes is a vital component in assuming funding and support. It is unlikely then that ADOT-PTD will fund new projects that are not sponsored by local government or Tribal organizations. Organizations, which are unsure of their status in this regard, should check first with ADOT-PTD before completing an application.

Providers of special needs transportation (e.g., elderly or disabled clients) are eligible to apply. However, any service provided using program funds must be marketed to the general public as well. For this reason ADOT-PTD encourages such providers not to apply directly for Section 5311 funding, and coordinate with an existing general public provider. Private-for-profit operators, while not eligible applicants, may contract with Rural Public Transportation grantees to operate such service.

The terms “non-urbanized areas” and “rural and small urban areas” are used synonymously to mean any area outside of an urbanized area, as designated by the Bureau of the Census. An urbanized area consists of a core area and the surrounding densely populated area with a total population of 50,000 or more, with boundaries fixed by the Bureau of the Census or extended by State and local officials. Areas not currently within the urbanized area are eligible for Section 5311 funding even if they are included within the metropolitan area-planning boundary, which includes the surrounding area expected to be urbanized within twenty years and/or the air quality non-attainment boundary. Since the goal of Section 5311 is to enhance access of people living in non-urbanized areas to activities, Section 5311 projects may include transportation to and from urbanized areas.

Rural Public Transportation proposals must be for service in areas outside of “urbanized areas” as defined by the U.S. Census Bureau. At present, only the Phoenix, Tucson, Prescott, Yuma and Flagstaff urbanized areas are excluded from Section 5311 Rural Public Transportation eligibility. However, projects in the rural portions of Maricopa, Pima, Yuma and Coconino Counties may still be eligible for funding.

Projects that receive assistance from the FTA Section 5307 Formula Program for urbanized areas are not eligible to receive Section 5311 rural assistance for the same service area. Projects or portions of projects which tend to exclude certain portions of the general public of the project service area, or are intended to benefit a specific group to the exclusion of others, are **not** eligible for funding under this program.

Pilot Projects

Based on request by the Arizona Legislature, Governor's Office, or ADOT-PTD management pilot projects may be considered by the Department that meet specific criteria. Concerns have been expressed by a number of providers Statewide that critical gaps now exist in transit services in their communities and between these locales and their proximate urban centers. Services impacted include critical-purpose trips such as those meeting medical, employment and shopping needs. Projects demonstrating the viability of service that addresses these needs may receive focused attention. In order to increase the opportunity for early-phase success for a particular project, ADOT-PTD may elect to modify or waive certain performance and evaluation criteria.

ADOT-PTD may also encourage applications for pilot/demonstration projects from other local governments participating in local area public transportation planning studies that have articulated significant unmet transit needs. Applications will be judged by the standard evaluation criteria and by how the following concerns are addressed in the planning process:

- Area wide scope of plans which documents demand by user group and/or trip origins and destinations.
- Coordination of planning and articulation of demand among governments, employers, businesses, social service agencies and user groups.
- Consolidation opportunities with social service transportation providers.

For pilot/demonstration projects, local governmental agencies (e.g., city, county, tribal) must be contract signatories with ADOT-PTD and be responsible for contract deliverables. Any new recipient approved for funding will be considered a pilot or demonstration project. For projects requesting new service under the pilot program, ADOT-PTD will schedule a meeting to review the proposal. Based on unmet transit needs and budget availability, ADOT-PTD could implement the necessary plans to consider the applicant's request. After leaving the pilot program stage, the resulting transit service must continue to be managed by a local governmental agency if funded by ADOT-PTD through the Section 5311 Rural Public Transportation Program.

ADOT-PTD reserves the right to conduct an overall evaluation and terminate funding if the project does not demonstrate viability in continuing operation under the Section 5311 program.

Welfare to Work

Transportation services are crucial to the success of the Welfare to Work Program. In order to effectively meet the needs of the Program, transportation systems must re-evaluate their

current service delivery methods and consider modifications such as expanded hours of operation and individualized routes developed for welfare participants. Providing transportation services to welfare participants in rural communities throughout the State is both challenging and frustrating. Rural transportation is often difficult to locate and access; however with proper coordination, services can be provided in an efficient manner.

States are encouraged to take a leadership role in coordinating transportation resources for welfare reform initiatives. In addition to FTA and State transit funding, funding is available under the Department of Labor (DOL) Jobs programs and Department of Health and Human Service (DHHS) temporary Assistance to Needy Families (TANF), as described in joint guidance published by the DOT, DOL, and DHHS.

Effective communication among human service agencies and transportation providers is critical to the coordination of transportation services. In some cases those in need of employment are often unaware of the transportation resources that are available and accessible within their own community. Some of the responsibilities of the transportation managers include:

- Assessing client transportation needs as addressed by the Department of Economic Security (DES).
- Identifying local resources to meet client needs.
- Developing a service plan that meets the needs of the client.
- Funding availability.
- Coordination and consolidation of transportation services.

United We Ride

In February 2004, President Bush issued an Executive Order—termed *United We Ride*—directing all government agencies receiving federal transportation dollars, including states, to prepare action plans and implementation mechanisms to insure coordination among and between Human Services agencies and programs utilizing those funds.

ADOT-PTD is working in partnership with the Governor's Office, Department of Economic Security (DES), Department of Health Services, the Arizona Health Care Cost Containment System (AHCCCS), and other partners as members of the United We Ride (Arizona Rides) implementation team assembled on the Governor's behalf. This assemblage is in response to the President's order to conduct activities to plan, prepare for and carries out federal United We Ride objectives. Among these are insuring maximum feasible coordination between and among human services agencies receiving federal transportation dollars, increasing the efficiency and effectiveness of funds utilized for transportation, and reduce redundancy/overlap of service.

During 2005 the State's UWR ("Arizona Rides" or AR) team is conducting a grant-assisted evaluation of human services—and related program—transportation in Arizona, to "coordinate a statewide assessment on human services transportation and begin developing a sound plan for improvement using the *UWR Framework for Action*." This "framework" is a set of guidelines issued jointly by a multi-agency coalition of federal partners, including the US Departments of Transportation, Health & Human Services, Labor and Education,

among others, and organized by the Council on Coordinating Council on Access and Mobility (CCAM), currently chaired by the Secretary of Transportation. More information on UWR guidance to federal, state and local agencies can be accessed at: <http://www.fta.dot.gov/CCAM/www/index.html>. Another good synopsis can be found at the following address: http://www.aoa.gov/prof/transportation/united/united_pf.asp.

Governor's Aging 2020 Plan

The Plan is a State Executive Order issued by Governor Napolitano this past Spring, ordering all State agencies to work together to address the senior population boom and the associated transportation needs.

ADOT-PTD will be seeking assistance from its grant recipients to implement various aspects of the Governor's Plan with respect to the general public the Section 5311 program assists.

Additional information concerning the Governor's Plan can be found at the following address: http://www.governor.state.az.us/eo/2004_07.htm.

TEA-21

Currently, under TEA-21, transit facilities within public lands, national parks, and Indian reservations are an eligible use of funds available for public lands highways, park roads, and parkways, and Indian reservation roads (Chapter 2, Title 23). These funds are administered directly by the appropriate federal land management agency (e.g., the Bureau of Indian Affairs for the Indian Reservations Roads Program), but must be included within the State Transportation Improvement Program [49 U.S.C. 5304(c) (6)]. In developing its Section 5311 application to the FTA, ADOT-PTD will evaluate the impact of any transit projects that tribes may have developed with Indian reservation road funds.

I. STATE AND REGIONAL CONTACTS

Prospective Rural Public Transportation participants and those already participating in the Program may obtain planning assistance and demographics information through the council of governments in their region:

FLAGSTAFF METROPOLITAN PLANNING ORGANIZATION

211 West Aspen
Flagstaff, Arizona 86001
Dave Wessel (520) 779-7685 FAX: (520) 779-7693

MARICOPA ASSOCIATION OF GOVERNMENT

302 North 1st Avenue, Suite 300
Phoenix, Arizona 85003
Eric Anderson (602) 254-6308 FAX: (602) 254-6490

PIMA ASSOCIATION OF GOVERNMENTS

177 North Church, Suite 405
Tucson, Arizona 85701
Lynne Potler (520) 792-1093 FAX: (520) 620-6981

NORTHERN ARIZONA COUNCIL OF GOVERNMENTS

119 East Aspen Avenue
Flagstaff, Arizona 86001
Chris Fetzter (928) 774-1895 FAX: (928) 773-1135

WESTERN ARIZONA COUNCIL OF GOVERNMENTS

208 North 4th Street
Kingman, Arizona 86401
Dave Barber (928) 753-6247 FAX: (928) 753-7038

CENTRAL ARIZONA ASSOCIATION OF GOVERNMENTS

271 Main Street
Superior, Arizona 85273
Bill Leister (928) 253-7941 FAX: (928) 689-5020

CENTRAL YAVAPAI METROPOLITAN PLANNING ORGANIZATION

7501 East Civic Circle
Prescott Valley, Arizona 86314
Jack Shambaugh (928) 759-5516 FAX: (928) 759-3125

SOUTHEASTERN ARIZONA GOVERNMENTS ORGANIZATION

118 Arizona Street
Bisbee, Arizona 85603
Rich Gaar (520) 432-5301 FAX: (520) 432-5858

YUMA METROPOLITAN PLANNING ORGANIZATION

200 West 1st Street
Yuma, Arizona 85364
F.M. Luckie (928) 783-8911 FAX: (928) 329-1674

II. FEDERAL

J. FEDERAL PROGRAM REQUIREMENTS

Federal Government Obligations to Third Parties

Recipients must agree that without the federal government's express written consent, the federal government shall not be subject to any obligations or liabilities to any sub-recipient, any third party contractor, or any other person not a party to the Grant Agreement or Cooperative Agreement in connection with the performance of the Project. Notwithstanding any concurrence provided by the federal government in or approval of any solicitation, sub-agreement, or third party contract, the federal government continues to have no obligation or liabilities to any party, including the sub-recipient and third party contractor.

Private Enterprise Involvement

Applicants must ensure that private-for-profit and private non-profit transit operators are given the opportunity to participate in the planning and implementation of the project to the maximum extent feasible:

- Applicants must provide reasonable notice to private transportation providers regarding proposed services. Private transportation providers may then present their views concerning the proposed service.
- Applicants may notify private transportation providers by either publishing a public notice in a newspaper of general circulation or by writing letters to the private companies in their area. The latter is preferred.
- Private transportation providers should be given an early and active role in the development of transportation services.
- Applicants should solicit private companies' participation in their planning process. Private companies should be given an opportunity to offer their own service proposals for consideration.
- Applicants should periodically review their existing services to determine if private companies can provide parts of the service, or the entire service, more efficiently.
- When applicants decide that they should offer federally subsidized public transportation service, they should consider the capabilities of private companies to offer the service.
- Applicants should review local regulations to ensure that private companies are treated fairly. Applicants should revise or encourage adjustments in local regulations, which would permit private companies to operate the applicants' services more efficiently.

- Applicants should consider the total cost of providing transportation service when comparing public and private service proposals. The subsidies provided to public and private nonprofit transportation providers such as capital assistance grants, operating subsidies, and the use of public facilities should be reflected in the cost comparisons.
- **Applicants shall have a process in place to resolve disputes with private transportation providers. The applicant must notify all transportation providers in the proposed service area via registered mail to inform them of the project and ascertain whether the private providers could participate in the project. (See Letter of Notification to Providers in Application).**

Public Involvement

All applicants for Rural Public Transportation Program funds must hold a public hearing. Public notices shall be published in the newspaper(s) having general circulation in the vicinity of the proposed undertaking. Any public hearings should be held at a place and time generally convenient for persons affected by the proposed undertaking. The site must be accessible to the elderly and persons with disabilities. Provisions should be made at the hearing for submission of written Statements, exhibits, and oral Statements. As appropriate to the ethnic makeup of the community, translators should be provided for non-English speaking persons at the hearing. A written summary of the oral proceedings must be prepared. **Attach copies of public notices to application.** (See Notice of Public Hearing in Application.)

Labor Protection Provisions

Section 13 of the Urban Mass Transportation Act of 1964, as amended, specifies that as a condition to any financial assistance, fair and equitable arrangements be made to protect the interests of employees of transit providers, which may be affected by the project receiving such assistance. Applicants shall either (1) execute the Special Warranty developed by the U.S. Departments of Labor and Transportation or (2) request and receive approval for waiver of the required protection from the Department of Labor.

Successful applicants must provide the labor protection information required (see attached sample Listing of Recipients Eligible Surface Public Transportation Providers and Labor Representation for 13(c) in application) by no later than August 2005 in order to insure a fully executed contract by October 1, 2005. ADOT-PTD is required (annually) to certify to the Department of Labor that Section 5311 agencies are in compliance with terms and conditions of the Special Section 13(c) Warranty.

Audits of State and Local Governments

State agencies are responsible for: ensuring that audits are performed pursuant to the requirements of OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations;" resolving audit findings; and bringing problems to FTA's attention. FTA has not required an annual financial audit of a sub-recipient when assistance is

provided solely in the form of capital equipment procured directly by the State. If the amount of FTA funds granted to a particular sub-recipient does not trigger the requirement for an A-133 audit, the State may wish to review A-133 audit reports prepared for sub-recipients that are required to be reviewed. **This could happen if their total federal funds from all sources exceed the threshold set at \$300,000.** At a minimum, States should require sub-recipients to bring to the attention of the State any audit findings relevant to their use of FTA funds.

OMB Circular A-133 states: “(a) Audit required. Non-Federal entities that expend \$300,000 or more in a year in Federal awards (*from all sources*) shall have a single or program-specific audit conducted in accordance with the provisions of this part. Guidance on determining Federal awards expended is provided in §99.205.

The Single Audit Act provides that:

An independent auditor in accordance with generally accepted government auditing standards covering financial and compliance audits should make the audit.

The audit shall cover the entire operations of the transit agency/departments that received Federal financial assistance during the year. A series of audits of individual departments, agencies, and establishments for the same fiscal year may be considered a single audit.

The Auditor shall determine whether:

The financial statements of the agency presents fairly its financial position and results of its financial operation in accordance with generally accepted accounting principles.

The agency has internal accounting and other control systems to provide reasonable assurance that it is managing Federal financial assistance program in compliance with applicable laws and regulations.

The agency has complied with laws and regulations that may have material effect on its financial Statements and on each major Federal assistance program.

The audits shall be submitted annually to the Section 5311 Program Manager, unless the State should require less frequent audits.

Disadvantaged Business Enterprises (DBE)/Civil Rights

A DBE is defined by the U.S. Department of Transportation as “a for-profit small business concern 1) that is at least 51 percent owned by one or more individuals who are socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and 2) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.” A “socially and economically disadvantaged individual” is further defined as any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is African American, Hispanic American, Native American, Asian-Pacific American, Subcontinent Asian American, a women, determined at be socially and economically disadvantaged by ADOT-PTD, or a member of an additional group designated as socially and economically disadvantaged by the Small Business Administration.

The FTA States, recipients who receive more than \$250,000 in various forms of FTA assistance, **exclusive of transit vehicle purchases**, must have a DBE program.

Assurances: The contractor, sub-recipients (including vehicle awardees) or subcontractors shall not discriminate on the basis of race, color or national origin in the performance of this contract. The contractor shall carry out applicable requires of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the recipient deems appropriate.

The Objectives of the DBE Program are: The Arizona Department of Transportation’s policy is to ensure nondiscrimination in the award and administration of DOT-assisted contracts in its highway, transit and airport financial assistance programs. To achieve this the agency will strive:

- To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
- To ensure that the DBE program is narrowly tailored in accordance with applicable law;
- To ensure that only firms that fully meet this part’s eligibility standards are permitted to participate as DBEs;
- To help remove barriers to the participation of DBEs in DOT-assisted contracts; and
- To assist the development of firms that can compete successfully in the marketplace outside the DBE program.

Recipients of Rural Public Transportation funds should take affirmative steps to ensure that socially and economically disadvantaged business enterprises participate in the performance

of contracts and subcontracts. This may mean as actual transportation service providers, or as suppliers of commodities or services needed in the operation of transportation service.

Where the recipient or subcontractor is found to have failed to exert sufficient reasonable and good faith efforts to involve DBEs in the work provided may declare the sub-recipient or subcontractor in breach of contract.

The ADOT Civil Rights Administrator files annual contracting activity reports to FTA. All sub-recipients, even those not meeting the threshold, are required to calculate the DBE participation rate and submit these to ADOT-PTD. ADOT-PTD requires sub-recipients to obtain certifications from contractors that they are DBE, if applicable.

All applicants who receive preliminary approval for their project must notify ADOT Civil Rights Office and inform them of all proposed contracting and purchasing opportunities in the project, and request the Program Administrator's assistance in locating and contracting with DES.

Civil Rights Requirements, Title VI

All recipients of FTA assistance are responsible for compliance with all Civil Rights requirements applicable to transit related projects, including 49 U.S. 5332 (Nondiscrimination), Title VI of the Civil Rights Act of 1964, Equal Employment Opportunity (EEO), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and Disadvantaged Business Enterprise (DBE) program requirements. The recipients also agree to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary to identify the affected parties.

The recipient agrees that it will not discriminate against any participant, employee or applicant for employment because of race, color, creed, disability, age, religion, or national origin. The recipient agrees to take affirmative action to ensure applicants and employees are treated without regard to their race, color, creed, disability age, religion, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or advertising, layoff or termination, rates of pay or other forms of compensation; and selection for training. The recipient also agrees to comply with any implementing requirements FTA may issue.

The recipient must comply with the current DBE, EEO and ADA regulation requirements identified in the respective assurances enclosed in the application package. Failure by the recipient to carry out the terms of the DBE, EEO and ADA program shall be treated as a violation of the Grant Agreement.

For additional information contact:

Civil Rights Administrator, Lisa Wormington
Arizona Department of Transportation / Civil Rights Office
1135 N. 22nd Avenue, 2nd Floor, Phoenix, AZ 85009
Phone: (602) 712-7761

FTA Charter Requirements

Under FTA's charter service regulation, 49 CFR Part 604, recipients are barred from providing charter service using FTA-funded equipment or facilities if there is at least one willing and able private operator. **Recipient must indicate in the application if they intend to provide charter service at anytime during the contract year.**

Procedures for determining if there are any willing and able operators are identified in 49 CFR 604.9 (b). This section requires a public notification process that includes placing a notice in a newspaper of general circulation within the charter service area with a copy to private charter operators in the same area. The notice must describe the charter service the recipient seeks to provide, the days and time at which it will take place, and the type of vehicle that will be used. Requirements of the charter regulations are as follows:

- A recipient may provide charter service if there is no willing and able private charter operator.
- A recipient may enter into a contract with a private charter operator to supply equipment or actually provide a trip if the private operator does not have the capacity needed for the trip.
- A recipient may enter into a contract with a private operator to supply equipment for a particular trip if the private charter operator lacks equipment accessible to elderly and disabled persons.
- Recipients in rural areas may petition FTA for an exception if the charter service that will be provided by private operators would result in a financial or other hardship for the customer. Recipients should submit hardship exception requests to their FTA regional office.
- Recipients may petition FTA for authorization to provide charter service directly to the customer when private operators are not capable of providing service for special events.
- Recipients may provide direct charter service for tax-exempt nonprofit social service organizations that are contracting for service for disabled persons, is a recipient of funds under certain U.S. Dept. of Human Health Services (USDHHS) programs, or is State certified according to a procedure set forth in the regulation.

- Recipients in rural areas may provide direct charter service for tax-exempt social service agencies that are contracting for service for elderly persons.
- Recipients may provide certain types of charter service when they have a formal agreement with local willing private operators. The recipient must State in its annual charter notice that it wishes to provide specified types of charter service, and must obtain the written agreement of all willing and able private operators in its service area.

Monitoring of this rule will be included in the annual on-site-visit review. Trip records, contracts, income Statements, and marketing materials will be reviewed for any evidence of chartering in the absence of authority to do so. Lack of compliance will result in disciplinary action and a plan of correction.

Intercity Bus

FTA identifies intercity bus service as regularly scheduled bus service for the general public which operates with limited stops over fixed routes connecting two or more communities not in close proximity, which has the capacity for transporting available. Package express service may be included, if incidental to passenger transportation. Commuter service (service designed primarily to provide daily work trips within the local commuting area) is excluded from the definition.

While much of the public transportation service assisted under Section 5311 covers large distances because of the nature of the areas served, not all long distance trips are included in the definition of intercity service. Similarly, service that only stops at an intercity bus facility among other destinations within the city at either end of a route that covers a long distance, without regard to scheduled connections, is eligible for Section 5311 assistance as public transportation, but is not an intercity feeder service.

A public entity operating or contracting for intercity bus service is not required to provide complementary paratransit service for individuals with disabilities who are unable to use the fixed route intercity bus service.

Intercity bus service is a vital link between otherwise isolated rural and small urban communities and the rest of the nation. In recent years the major intercity carriers have abandoned many less productive routes. Patronage generated in rural and small urban areas, however, appears to be important to the continuing viability of the remaining intercity routes. One objective of the funding for intercity bus service under Section 5311, therefore, is to support the connection between non-urbanized areas and the Federal Transportation Administration (FTA) defines intercity bus baggage carried by passengers, and which makes meaningful connections with scheduled intercity bus service to more distant points, if such service is larger regional or national system of intercity bus service. Another objective is to support services to meet the intercity travel needs of residents in non-urbanized areas.

School Bus Requirements

Under FTA's school bus requirements, set out under 49 U.S.C. 5323(f) and 49 CFR Part 605, recipients may not engage in school bus operations exclusively for the transportation of students. These provisions derive from 49 U.S.C. 5302(a), which authorizes FTA assistance for mass transportation, but specifically excludes school bus service from such federal assistance.

Section 605.3 of the regulation allows grantees to provide "tripper" service, which is mass transit service modified to accommodate the needs of school students and personnel. Buses used in tripper service must be clearly marked as open to the public. These buses may stop only at a grantee's regular service stop. All routes traveled by tripper buses must be within a grantee's regular route service as indicated in their published route schedules. The purpose of this provision is to ensure that buses acquired with federal assistance are clearly perceived by the public as available for their use.

Moreover, Section 605.11 of the rule exempts a grantee from the prohibition on exclusive school bus operations if it engaged in school bus operations prior to August 1973 or if private operators are unable to provide adequate transportation. A request for such an exemption, with supporting documentation, should be sent to the FTA Administrator.

It should be noted that even if a grantee obtains an exemption to engage in school bus operations, the Federal transit laws do not permit support of such operations with FTA assistance. Thus, the grantee cannot use FTA funded buses in its school bus operations, or service or maintain them in a FTA funded facility.

Federal Motor Carrier Safety Licenses

All non-municipal operators are subject to Federal Motor Carrier Safety Regulations. Contact the Federal Highway Administration, Office of Motor Carriers, 234 North Central, Suite 330, Phoenix, AZ 85004, (602) 379-6851.

Applicant Assurances

All applicants must sign and agree to comply with all of the assurances listed on the application checklist.

Grant Administration and Eligible Costs

As with all federal grant programs, recipients must comply with the following Office of Management and Budget (OMB) Circulars, and Presidential Executive Order 12372.

Applicable Circular or Executive Order for State, Local, and Tribal Governments

OMB Circular A-102	Uniform Administrative Requirements for Grants-In-Aid to State and Local Governments
OMB Circular A-87	Cost Principles Applicable to Grants and Contracts with State and Local Governments
Executive Order 12372	Intergovernmental Review of Federal Programs
OMB Circular A-128	Audits of State and Local Governments

Applicable Circular or Executive Order for Non-Profit Organizations

OMB Circular A-110	Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations
OMB Circular A-122	Cost Principles for Non-Profit Organizations
Executive Order 12372	Intergovernmental Review of Federal Programs

OMB Circular A-133

Audits of Institutions of Higher Education and other Non-Profit Institutions

K. FTA SUBSTANCE ABUSE REQUIREMENTS

Drug Free Workplace Policy: The Drug Free Workplace Policy is part of the federal government's effort to eliminate the use of illegal and controlled substances from the workplace. This includes any substance that alters the senses or could affect one's ability to function in one's job. The regulations affect all federal government agencies, their contractors and their direct grant recipients and/or subcontractors.

The Arizona Department of Transportation has adopted a Drug & Alcohol Free Workplace Policy. In addition to the Department, sub-recipients which receive FTA funds must comply with the regulations contained in 49 CFR Part 40, procedures for transportation workplace drug testing programs and 49 CFR Part 655, Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations.

Safety sensitive functions are defined as those employees who operate revenue vehicles (whether or not in revenue service), operate a non-revenue service vehicle when required to be operated by a holder of a Commercial Driver's License, control the movement or dispatch of the vehicles, and maintain vehicles (unless in the case of the Rural Public Transportation programs Section 5311, 5307 or 5309 in an area less than 200,000 in population and contracts out such services), security personnel who carry firearms, and supervisors who could perform any of the above responsibilities.

Background

In response to growing concerns about the risks posed by use of illegal drugs and the abuse of alcohol by transportation industry employees while performing safety-sensitive functions, Congress passed The Omnibus Transportation Employee Testing Act in 1991. This act mandated all agencies of US DOT to implement a drug and alcohol-testing program. In 1994, US DOT published the minimum uniform requirements for the programs of all the modal administrations, in 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs.

In 1994, FTA published requirements for certain recipients of FTA financial assistance, in 49 CFR Part 653, Prevention of Prohibited Drug Use in Transit Operations, and 49 CFR Part 654, Prevention of Alcohol Misuse in Transit Operations. The FTA regulations were consistent with the provision of Part 40. They were designed to provide the maximum level of safety to passengers using public transit services across the country, the employees of such providers and others who may share the roadway with transit vehicles to protect civil rights and minimize liability in all locations.

Shortly after the FTA regulations were implemented, FTA initiated a program to monitor compliance. Monitoring consists of review of annual reports submitted by the grantees, as required by the regulations and on-site audits of the grantee's drug and alcohol testing programs. The number of transit accidents per passenger mile involving operators, dispatchers, and others who control the movement of vehicles has decreased since the program was initiated.

In 2000, US DOT revised Part 40 to clarify the organization and language in order to incorporate guidance and interpretations and to respond to changes in technology and the testing industry. The amended Part 40 was published in the Federal Register in December 2000.

Accordingly, the FTA regulations were revised to conform to the amended Part 40. The revised FTA drug and alcohol regulations were combined in a single rule: 49 CFR Part 655, Prevention of Alcohol Misuse and Drug Use in Transit. The revised rule also incorporates comments from the FTA grantees and guidance that FTA has issued in the past several years, including technical assistance, letters of interpretation, audit findings, newsletters, training classes, safety seminars, and public speaking engagements.

The Implementation Guidelines for Drug and Alcohol Regulations in Mass Transit were revised in August 2002 (FTA-OH-26-001-94-1, Part 655). The Implementation Guidelines and the Best Practices are intended to be used together. The Implementation Guidelines communicates to readers the requirements and the Best Practices explain compliance. To obtain a copy of The Implementation Guidelines for Drug and Alcohol Regulations in Mass Transit, go to www.transit_safety.volpe.dot.gov

The practices in this document include policy Statements, forms & checklists, and narrative descriptions of approaches actually used by grantees. In some cases, multiples examples for addressing the same issue or requirement are given to show different solutions for different types of transit systems or operating scenarios, or just to offer the grantees choices for achieving the same result. Though the audit teams have found the grantees to be very similar in general, they have found them to be very different in specifics. Therefore, the material in every example will probably not be applicable to every entity, and in some cases none of the examples may be applicable word-for-word.

FTA requires each employer to establish a policy that defines its Drug and Alcohol Testing Program and requires the entity's governing body to formally adopt the policy. An entity's governing body is the board of directors or highest-ranking officials. The person who is primarily responsible for implementing and managing the program usually guides development of the initial draft of the policy and presents it to the governing body for review and approval. It is generally useful to involve top management officials, union officials (if the employees are represented) and local legal counsel in reviews of the draft policy.

To show proof of governing board adoption, some entities include a header on their entire document that contains the policy number, adoption date, and appropriate signature. Other common methods include a page documenting meeting minutes, or a formal adoption page complete with signatures. Another method is to include it as an appendix.

Although policies must be changed, readopted, and redistributed to reflect significant regulatory revisions, policy re-adoption is not necessary for minor regulatory changes. The same applies to minor changes in the policy Statement such as the name of the entity's new Drug and Alcohol Program Manager, Medical Review Officer (MRO), Substance Abuse Professional (SAP), collection site, or testing laboratory. Such changes are often included in an appendix and described in a form distributed to safety-sensitive employees.

Policy Statement: At a minimum, transportation operators and their subcontractors must adopt a policy which details the prohibited behaviors, testing requirements, identified sources of assistance for substance abuse problems, and the consequences for refusal to take tests and for positive drug and alcohol results.

Employee and Supervisor Education: Transportation operators must have a training program for all employees in safety sensitive positions that are compliant with the regulation. Employees must be trained prior to assuming their duties. The policy must include a community service “hot - line” telephone number and the name of a person where employees can obtain assistance. In addition, supervisors who have the responsibility and authority to refer employees for testing under reasonable cause must receive additional training in manifestations and behavioral cues indicative of drug and alcohol use and abuse. Your application should contain a list of managers who completed supervisor training.

Substance Abuse Testing Program: The Drug and Alcohol Testing program was required to be in place for current Section 5311 recipients on January 1, 1996. Transportation operators must test employees who perform safety sensitive functions for the use of five prohibited drugs: marijuana, cocaine, opiates, phencyclidine, and amphetamines and for alcohol. There are potentially six conditions under which testing is mandatory:

Pre-employment and/or Pre-duty: Testing for drugs and the receipt of a negative test result is required prior to an employee performing in a safety sensitive position and before a current employee is transferred into a safety sensitive position.

Reasonable Cause: Testing is required when an employee in a safety sensitive function is observed by a trained supervisor to be exhibiting behavior indicative of drug or alcohol abuse. Reasonable Cause testing for drugs may be done anytime a safety sensitive employee is on duty. Reasonable Cause testing for alcohol may only be done just prior to, during or immediately after an employee has performed a safety sensitive duty.

Post - Accident: Testing is mandatory when an accident results in a fatality or when an individual involved in the accident is transported for medical treatment, or any vehicle is towed from the site of the accident.

Random: The random selection of employees is conducted in a scientific manner from a pool of safety sensitive employees ensuring that the employee has the same chance of being selected for testing every time there is a random selection done; The random testing rate is set by the FTA and the testing must be spread over 12 months, unpredictable, and unannounced. Testing must be performed immediately upon notification of the employee.

Should the agency choose to retain the employee who refuses to test or has a positive drug or alcohol test result, the following additional conditions require testing of the employees:

Return-to-Duty: Testing of the employee is required after a policy violation resulting in a positive drug or alcohol test or the refusal to test. If the employer wants to return the employee to safety sensitive duties the employee must be evaluated by a Substance Abuse Professional (SAP) and once the SAP recommends the employee is ready to return to duty a negative drug and/or alcohol test must be required by the employer.

Follow-up-Testing: Any employee who has tested positive on a drug test or .04 or greater on an alcohol test must be evaluated by a substance abuse professional. Upon the completion of the return to duty testing requirement, the SAP will prescribe the number of unannounced tests in addition to the usual conditions of testing that must be performed. The tests must be a minimum of 6 within the first 12 months of returning to work and can continue up to 60 months.

NOTE: Your application should include the Substance Abuse Program Implementation Checklist.

Reporting Procedures: Transportation operators must certify compliance and submit reports to ADOT-PTD on an annual basis as per 49 CFR Part 40. The reports shall be submitted on the appropriate form and shall consist of the requirements Stated within the regulation which includes but is not limited to the number and results of drug and alcohol tests on the forms provided within the federal register or within the FTA implementation Guidelines. Failure to certify compliance or submit the required reports will result in the suspension of your system's eligibility for operating and capital funding.

Implementation in Arizona: When you implement the drug and alcohol regulations, you must get approval from your board of commissions, educate your safety sensitive employees, inform your personnel department, and you must hold your subcontractors (performing safety sensitive duties on your behalf) responsible for adherence to the same regulations.

If you as the grantee subcontract safety sensitive services, you are responsible to ensure that the subcontractor is in compliance. In addition, you must ensure that the subcontractor enters into contractual relationships with appropriately qualified service providers, (Certified Medical Review Officer, SAMHSA Certified Laboratories, Substance Abuse Professionals, Certified Collectors and Breath Alcohol Technicians). All Arizona Rural Public Transportation projects will be required to comply with the Federal Regulations 49 CFR Parts 40 and 655.

For those recipients without their own contracted testing program or providers, ADOT-PTD will assist the agency by providing guidance.

L. FEDERAL PROGRAM MANAGEMENT REFERENCES

The following references provide guidance for recipient program management and sub-recipient eligibility of the Section 5311 Program as excerpted from FTA Circular 9070.1D.

1. Federal transit laws, 49 U.S.C. §§ 5301 *et seq.* (Also, 49 U.S.C. Chapter 53).
2. Federal highway and surface transportation laws, Title 23, United States Code (Highways)
3. Transportation Equity Act for the 21st Century, Pub. L. No. 105-178 (1988)
4. Intermodal Surface Transportation Efficiency Act of 1991, Pub. No. 102-240 (1991).
5. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794.
6. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d.
7. Clean Air Act, as amended, 42 U.S.C. §§ 7401 *et seq.* and scattered sections of 29 U.S.C.
8. Lobbying Restrictions, 31 U.S.C. § 1352.
9. Congressional Declaration of Policy Respecting Insular Areas, 48 U.S.C. § 1469a.
10. Executive Order No. 11246, "Equal Employment Opportunity", as amended by Executive Order no. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. § 2000 (e).
11. Department of Transportation (U.S. DOT) regulations, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," 49 C.F.R. Part 18.
12. DOT regulations, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations," 49 C.F.R. Part 19.
13. DOT regulations, "New Restrictions on Lobbying", 49 C.F.R. Part 290, modified as necessary by section 10(b) of the Lobbying Disclosure Act of 1995 (which amends 31 U.S.C. § 1352).
14. DOT regulations, "Participation of Minority Business Enterprises in Department of Transportation Programs," 49 C.F.R. Part 23.
15. DOT regulations, "Nondiscrimination on the basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 C.F.R. Part 27.
16. DOT regulations, "Drug-Free Workplace Requirements (Grants)," 49 C.F.R. Part 29, subpart F.
17. DOT regulations, "Transportation Services for Individuals with Disabilities ("ADA" 49 C.F.R. Part 37).
18. DOT regulations, "Americans With Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles," 49 C.F.R. Part 38.
19. FTA regulations, "Capital Leases," 40 C.F.R. Part 639.
20. FTA regulations, "Buy America Requirements," 49 C.F.R. Part 661.
21. FTA regulations, "Pre-Award and Post-Delivery Audits of Rolling Stock purchases," 49 C.F.R. Part 663.
22. FTA regulations, "Bus Testing," 49 C.F.R. Part 665.
23. Joint Federal Highway Administration / FTA regulations, "Planning Assistance and Standards, 23 C.F.R. Part 450 and 49 C.F.R. part 613.
24. Department of Treasury regulations, "Rules and Procedures for Funds Transfers," 31 C.F.R. part 205.
25. Office of Management and Budget (OMB) Circular A-87, "cost Principles for State and Local Governments."
26. OMB Circular A-122, Revised, "Cost Principles for Non-Profit Organizations."
27. OMB Circular A-133, Revised, "Audits of States, Local Governments, and Non-Profit Organizations."
28. Government Services Administration (GSA), "Catalog of Federal Domestic Assistance."
29. FTA circular 4220.1D, "Third Party Contracting Requirements," dated 4-15-96.
30. FTA circular 5010.1B, "Grant Management Guidelines," dated 10-01-98.

31. FTA "Best Practices Procurement Manual," 10-25-96.
32. GSA, "Lists of Parties Excluded from Federal Procurement and Non-Procurement Programs."

III. STATE GUIDELINES

M. STATE PROGRAM REQUIREMENTS

Transportation Development Program

ADOT-PTD has coordinated the preparation of Transit Development Programs (TDP) for each of the applicable rural Council of Government (COG) planning areas of the State. The TDPs will provide a five-year plan to address the transportation needs and coordination of public transportation and specialized transportation services for the elderly and disabled in the regions. In addition, they will address the most efficient and effective management and funding programs for public transportation. The TDPs, along with the Short-Range Transit Plans of the four metropolitan planning areas of the State, will be the basis for development of a State Transit Plan. Copy of TDP can be obtained by contacting the Section 5311 Section Administrator.

Private Enterprise Involvement

ADOT-PTD encourages all applicants to fully utilize the resources and expertise of private providers such as taxicab companies, intercity bus operators and human service transportation systems.

Any documentation of coordination efforts such as letters of support, formal agreements or minutes of meetings will assist the application. The application must contain a list and description of all transportation providers in the service area including the days and hours of service, number of passengers, frequency of service, fare charged, and area served.

Purchase of service agreements or contracts with private operators are appropriate means of providing general public transportation service.

During the 2004-2005 contract year continuation projects may have to update their local privatization policies. New projects will have to write privatization policies as part of their contract activities. ADOT-PTD will provide guidance to projects on this task.

Requirements the applicant must meet related to private enterprise involvement are:

- Publish two notices of public hearings, one week apart. The notice of the public hearing must include the name of the applicant, the time, date, and place of the hearing, an adequate description of the project, including the area to be served by the proposed undertaking, items to be purchased, constructed, etc. The grant proposal must be made available for public inspection. See Application Supplemental Materials for a sample *Notice of Public Hearing*.
- Schedule the date of the hearing at least five days after the second notice is published.

The application should contain a copy of the notice of public hearing as published and a summary of the public hearing, together with copies of exhibits and written statements.

Project Monitoring & Site Visits

ADOT-PTD, as the administrative agent for federal funds, is required to monitor projects for certain requirements on a regular basis. ADOT-PTD must determine if all activities, as specified in the State Management Plan (SMP) and the contract, are being implemented. The reviews require detailed and comparative information from the transit provider regarding monthly billings, ridership statistics, funding, transit service operation and service provided to the elderly, disabled, and the general public.

ADOT-PTD will gather other information necessary to determine compliance with Section 5311 Rural Transit Program directives. Inspection of vehicle(s) will be performed during on site visits or more often if the inspection performed indicates that the equipment is being maintained poorly and is being operated in an unsafe manner. Inspections will include all major vehicle components and maintenance records, insurance policies, operation policies, training records and a ride along with an operator on a regular scheduled route trip. COG's will be available to assist agencies in this process. The review will also include, but not be limited to the following:

- Vehicle Maintenance Plan
- EEO Compliance
- Civil Rights Compliance
- DBE Compliance
- Level of Assistance Provided by ADOT-PTD
- Vehicle Inventory
- Charter Bus Service
- TAC Minutes
- Compliance with FTA Substance Abuse Program
- Financial Management
- Compliance with all Assurances signed by recipient
- Level and Quality of Transit Services
- Procurement Procedures
- Safety and Risk Management
- ADA Compliance

Local Transit Advisory Council

Successful new applicants will be required to establish a Transit Advisory Council. Besides the Transit Manager, the committee membership must include representation from the elderly and disabled community, local business representation, local government council member, and member of general public.

Transit Managers are required to conduct meetings on a quarterly basis and submit minutes of the meetings to the Section 5311 Program Manager.

Meeting topics should include, but not be limited to fare structures, monthly passenger statistics, training requirements and any other transit concerns.

Coordination with Social Service Agencies

Social service agencies have typically been active in providing transportation for their clients. Resources used to fund these programs can be pooled with Rural Transportation funds into one transit effort in a project service area, and accruing benefits for all parties. Monies and vehicles brought under one umbrella would provide duplication of service.

This is the ultimate goal of coordinated transportation services. Each applicant must document and submit all activities pursued to achieve this goal.

Information about existing providers must also be included with the application. If the applicant has provided or funded any passenger transportation service within two years prior to the Rural Public Transportation application, the application must list the amount and sources of funds used and the efforts made to integrate these funds with a Rural Public Transportation system.

Applicants are expected to contact and work with all transportation providers in their service area. Describe the extent of which you coordinate transportation services with other transportation providers to reduce or eliminate duplication of services and maximize use of available resources. Letters of agreement with other agencies and contracts with private operators are good examples of coordination. The contract and coordination work should be an ongoing and continuous activity of providers using FTA funds. Service plans must be reviewed with staff of the primary transit operator to ensure that there is no conflict. Assistance in establishing a coordinated system may be available from ADOT-PTD and your COG or MPO planner.

Local Government Support

All applicants must obtain a letter or resolution from the mayor or municipal council of each municipality or Indian community served by the project stating their position towards the project, and any levels of committed funding. In non-incorporated areas, similar documentation and information shall be supplied from the county. Applicants are strongly encouraged to provide the majority of their local match from local government(s). In light of the current levels of federal funding and local financial participation, it is critical that local governments involve the transit system in their local multi-modal transportation process, consistent with the directives set by the Federal Transit Act. ADOT-PTD would find it extremely difficult to support an application lacking significant local public support. This is even more critical in incorporated areas.

ADOT-PTD's Lien on Project Equipment

ADOT-PTD will retain a first lien equal to 80% (or its share in the purchase price if other than 80%) of the fair market value on all capital equipment purchased with Rural Public Transportation funds. Capital equipment is defined as equipment that has a unit value over \$1,000 and is expected to last one year or more. Vehicle liens will be retained for a minimum of either:

- 4 years or 100,000 miles for vans (up to 15 passengers);
- 5 years or 200,000 miles for mini buses (up to 30 passengers); and
- 7 years or 400,000 miles for buses (over 30 passengers or 30 ft. vehicles).

Grant recipients are expected to use the equipment up to its useful life or the duration of their contract.

When vehicles have reached the end of their useful life or miles the grant recipient is required to submit a lien release request to Section 5311 Program Manager. Grantees cannot sell, discard, transfer or dispose of equipment without a lien release approval from ADOT-PTD.

N. PROCUREMENT

Procurement Manual

As guidance for capital procurements, a Capital Procurement Handbook was developed by ADOT-PTD to assist grantees under the Section 5311 Rural Public Transportation Program in meeting State and federal requirements when purchasing vehicles and related equipment using federal funds. This Handbook outlines required and recommended procedures and other considerations for prospective purchases of rolling stock and other equipment.

The ADOT-PTD Capital Procurement Handbook is based on the FTA/APTA “Best Practice Procurement Manual.” Interested parties may access this document through the following Internet address: <http://www.fta.dot.gov>.

Required forms in the ADOT-PTD Capital Procurement Handbook must be completed prior to any federal reimbursement.

“Best Practices” document--and outlines Federal and State procurement requirements, as well as the steps which an ADOT-PTD recipient must follow in order to “self-procure” vehicles. The ADOT-PTD document may be accessed through the following Internet address:

<http://tpd.az.gov/transit/>

Pre-Award and Post-Delivery Audits: As part of the procurement process, the Department is required to ensure that recipients conduct pre-award and post-delivery audits regarding modified vehicles purchased with FTA capital funds. These are reviews, which serve to ascertain the following aspects of a vehicle order:

- Contractor meets pertinent Federal requirements, such as:
 1. Federal Motor Vehicle Safety Systems (FMVSS) criteria. (e.g., FMVSS 220 or School Bus Roll Over Protection in the case of lift-equipped/modified vehicles) and Americans With Disabilities Act (ADA) requirements.
 2. Buy America (i.e., manufacture of 60% components in U.S., and final vehicle assembly in U.S.) for modified vehicles over \$100,000 total valuation/order.
 3. Certification of Bus Testing, where applicable.
- Contractor meets ADOT-PTD’s specifications and other requirements.

As a component of this process, ADOT-PTD program managers and inspectors may visit manufacturing plant sites to review build progress and to ensure that specifications and other requirements are being complied with. In addition, Buy America certification is required for any single order purchases over \$100,000 total valuation, but Pre-Award and Post-Delivery audits are not required of non-modified (e.g., non-lift equipped) vehicles.

Other information regarding Pre Award and Post Delivery Audits can be found in FTA regulations, “Pre-Award and Post-Delivery Audits of Rolling Stock Purchases,” 49 C.F.R.

Part 663, the FTA Publication, “Conducting Pre-Award and Post Delivery Audits of Bus Procurements,” and FTA regulations, “Bus Testing,” 49 C.F.R. Part 665, and “ADOT-PTD Capital Procurement Handbook” for the FTA Section 5311 (Rural Public Transportation) Program.

Section 5311 sub-recipients must comply with the same federal requirements governing State procurements contained in FTA Circular 4220.1D and in the ADOT-PTD Capital Procurement Handbook. Other requirements related to procurement include bus testing, Buy America, Pre-award and Post-delivery review, and debarment and suspension.

There are no standard requirements for competitive procurements for any purchase. The recommended method identified by ADOT-PTD may be used as appropriate or a method established by your entity (City, County, Indian Tribe) may be used when approved by ADOT-PTD. The recipient must follow FTA Third Party Contracting Guidelines per FTA Order 4220.1D. When the recipient develops bid specifications they must be submitted to ADOT-PTD for approval prior to release for solicitations to potential bidders.

The recipient develops the Invitation For Bid (IFB), advertises bids, to at least three vendors, and awards the contract to the most responsible bidder. ADOT-PTD must concur in the bid award prior to any agreement or contract being executed for the purchase of services or capital equipment exceeding \$5,000.

Awards under Requests For Proposals (RFPs) for purchase of services must also be approved by ADOT-PTD. The recipient may, without prior Federal approval, procure an associated capital product eligible under 49 U.S.C. 5325 (c) by contract directly with the original manufacturer or supplier of the item to be replaced, provided that the recipient: (1) first certifies in writing that such manufacturer or supplier is the only source of that item and the price of that item is no higher than the price paid for that item by like customers, and (2) complies with applicable Buy America statutory and regulatory requirements.

ARS 28-1302 requires that each manufacturer, distributor, factory branch, distributor branch, motor vehicle dealer, broker, wholesaler be licensed before engaging in business in accordance with the requirements of the law.

If, however, a grantee does decide to use ADOT-PTD’s method of procurement, the following elements shall apply and have at a minimum:

- RFPs and IFBs will be publicized. All evaluation factors will be identified along with their relative importance.
- Bids and proposals will be solicited from an adequate number of qualified sources.
- Grantees will have a method in place for conducting technical evaluations of the bids and proposals received and for selecting awardees.
- ADOT-PTD shall review the RFPs or IFBs prior to award of contract.

- A proposal or bid process must include at least (3) vendors and selection must be approved by ADOT-PTD prior to award of contract.
- Awards will be made to the responsible firm whose bid or proposal is most advantageous to the grantee's program with price and other factors considered.
- Reasons for grantee selection or rejection.

The circular requires that specifications shall, incorporate a clear and accurate description of the material, product, or service to be procured. Such description shall not, in competitive, procurements, contain features that unduly restrict competition. The description may include a Statement of the qualitative nature of the material, product to be procured and when necessary, shall set forth those minimum essential characteristics and standards.

As the grantee responsible for procurement within your agency, you must be aware that compliance with Federal requirements is a condition of receipt of Federal funds. Failure to comply with these provisions may, in accordance with the terms of your agreement, be grounds for default of the agreement and result in the loss of the funds.

Grantees shall have written protest procedures to handle and resolve disputes relating to their procurements and shall in all instances disclose information regarding the protest to ADOT-PTD.

Pre-Award and Post Delivery Audits

Procurements for vehicle must be in accordance with FTA regulation "Pre-Award and Post-Delivery Audits of Rolling Stock Purchases", 49 CFR Part 663, with additional guidance published in Federal Register March 31, 1992. The rule requires that any recipient who purchases rolling stock must certify to the FTA that it has conducted a pre-award and post-delivery audit to assure compliance with its bid specifications, Buy America requirements and Federal Motor Vehicle Safety Standards. Pre-award and post-delivery audit forms are included in the ADOT-PTD Procurement Manual available through ADOT-PTD.

Buy America Requirements

The recipient shall complete and submit a declaration certifying either compliance or non-compliance with Buy America. The Bidder certifies compliance with Buy America and the sub-component parts of the rolling stock to be purchased. In addition, they identify the manufacturer of vehicle parts, the country of origin, costs and the location of the final assembly point for the rolling stock, including a description of the activities that will take place at the final assembly point as well as all final costs.

Before the recipient awards a contract to purchase vehicles, they must review the manufacturer's Buy America certification and supporting documentation, including vehicle sub-components (place of origin, cost and place of final assembly). They must also determine that the manufacturer can meet the Buy America requirements.

Lobbying

Recipients of Federal Grants and contracts exceeding \$100,000 must certify compliance with 49 CFR 20.110, New Restriction on Lobbying, before they can receive their grant funds. In addition, grantees are required to impose the lobbying restrictions on their sub-recipients and contractors.

The certification States that federal funds will not be used to influence or attempt to influence a Member of Congress, an employee of Congress or an employee of a member of Congress pertaining to the award of any Federal assistance, or the renewal or modification of any Federal grant. For all procurements exceeding \$100,000, ADOT-PTD will require signed certifications from contractors. This is found in the Certifications.

Prior to awarding procurement contracts of \$100,000 or more, which include any amount of federal funds, grant recipients will be responsible for obtaining from their contractors/subcontractors a signed lobbying certification. Compliance will be monitored by ADOT-PTD as part of site review visits.

Solicitation Specification Requirements

The recipient shall submit evidence that it will be capable of meeting the bid specifications.

Federal Motor Vehicle Safety Standards (FMVSS)

The Contractor shall submit (1) manufacturer's FMVSS self-certification sticker information that the vehicle complies with relevant FMVSS or (2) Manufacturer's certified Statement that the contracted bus will not be subject to FMVSS regulations.

Vehicle Liability Insurance

All recipients must obtain and maintain adequate insurance as prescribed by the Arizona Department of Transportation insurance liability policy. The current minimum liability coverage required is based on vehicle size and is as follows:

VEHICLE CAPACITY	LEVEL OF INSURANCE COVERAGE
15 passengers or less	\$750,000 vehicle liability \$300,000 uninsured motorist
16 passengers or more	\$5,000,000 vehicle liability \$300,000 uninsured motorist

To comply with this requirement, the successful applicant will be required by **August 15, 2005**, to enclose a copy of an insurance binder indicating that the proper amount of insurance is held for each vehicle in the system; or alternatively provide evidence of a letter of intent to purchase insurance and a letter of acceptance by the insurance carrier.

Insurance policies for vehicles must show ADOT-PTD as an “additional insured”. Vehicles on which ADOT-PTD holds a lien must also show ADOT-PTD as “loss payee.”

Driver and Vehicle Licenses

All successful applicants will employ drivers that hold a current and valid Arizona Driver's License. The ADOT Motor Vehicle Division requires licensing in keeping with their Commercial Driver's License Program as follows:

Vehicles under 16-passenger capacity including driver:

- Class D (Operator's) License

Vehicles 16 passenger and over:

- Class B or C Commercial License with bus/school bus endorsement
- Class B or C Commercial License with bus/school bus endorsement ADOT encourages all projects which have any vehicles in excess of 16 passenger capacity to have all drivers obtain a Class B or C Commercial License.

Drivers who currently have a Chauffeur's License may continue to use such a license until it expires. At that time, the appropriate above license must be acquired.

Projects are also required to comply with Arizona laws in the licensing of all project vehicles.

Pre-Award Visits

ADOT-PTD will endeavor to perform on-site visits prior to contract execution for the purpose of determining fiscal and administrative capabilities of new applicants, and current applicants who have experienced difficulty in program areas.

Contracts

Contracts run from October 1 to September 30, which is consistent with the federal fiscal year. In the case of new projects, equipment must be purchased before the transit system can be implemented. The grant recipient must have an executed contract before commitment is made to purchase equipment from a vendor.

Contract Deliverables

Three Year Transit Plan: Rural Public Transportation contracts will require projects to submit an updated copy of Three Year Transit Plan.

This plan is to be updated annually by the transit manager and should, at a minimum, include the following components:

Service Demand & Needs Assessment

Service Area Characteristics

- Trip origin and destination data
- Changes and dynamics in area
- Local activity centers

Service Design

- Routes
- Modes
- Accessibility
- Performance Standards
- ADA Compliance

Cost/Revenue Factors

- Forecasting
- Capital replacement costs
- Potential efficiencies
- Service change
- Local Government Involvement

Coordination Opportunities

- Social service agencies
- Other transportation providers

Marketing Component

- Advertising
- Surveys
- Outreach
- Economic Development

Operational Monitoring

- Performance evaluation
- Implementation Plan
- Maintenance planning
- Financial involvement/support
- Civil Rights

NOTE: The contents of this plan will form an integral part of the Section 5311 Rural Public Transportation Program application for current projects. These issues are further addressed in the application portion of this document.

Project Training

Training is an extremely important part of any transit program. An effective training program must include driver training to ensure passenger safety, staff training to ensure that clients are handled in an efficient, firm, yet sensitive manner, and client training program procedures on “how to access the system.” A variety of training programs and resources are available to assist in this respect. Rural Transit Assistance Program (RTAP) is a funded nationwide technical assistance program that focuses on training issues. RTAP funding is allocated to ADOT-PTD for the development of training material and courses. The following are examples of the type of materials that have been developed:

Driver training is the single most important tool that transit management has available to improve a system's operational efficiency, image, and risk management. Vehicle operators are the first and often the only personal contact that passengers have with the transportation system. Drivers should be familiar with the vehicles they operate, their driving habits, be knowledgeable of the system fare structure, transfer procedures, fare collection, correctly complete all required forms, emergency and accident handling procedures, dealing with the elderly and disabled, CPR, first aid, passenger assistance techniques and sensitivity training.

Consistent with industry standards, ADOT-PTD expects, at a minimum, a transit program to include the following training:

- Employees must be familiar with the transit system's policies and procedures
- Safety and Security
- Pre-employment drug test (Employee cannot perform duties until test results are known.)
- Vehicle Pre-trip Inspection training
- Vehicle maintenance reporting procedures
- At least 24 hours of route introduction with experienced driver
- Pass Service & Safety (PASS) Training, at least annually
- First Aid and CPR training
- American with Disabilities Act (ADA)
- All employees must receive at least 60 minutes of training on the effects and consequences of prohibited drug use;
- Vehicle Safety Training Program (video) new employees; and
- Dispatchers, as least 24 hours (OJT) training.

For information on other RTAP program training requirements, contact the Section 5311 Program Manager at 602.712.6790.

Available Funds

Funds will be available for public transportation projects in Arizona's rural areas under 50,000 population. Federal regulations currently require ADOT-PTD to program at least 15 percent of federal funds for Intercity Service. These funds will be available for Fiscal Year 2005-2006, effective October 1, 2005 to September 30, 2006. Applications for this year's operating, administrative, and capital funding cycle must be received by ADOT-PTD by **February 25, 2005**. Any applications submitted after close of business on February 25, 2005, will not be accepted.

Contract Implementation

The effective date for the Section 5311 contract is October 1, 2005. Contracts and Intergovernmental Agreements must be signed and dated by the Secretary of State before October 1, 2005, for recipients to officially request payment of eligible costs incurred. ADOT-PTD, Section 5311 program will not assume financial obligation or liability until the

Secretary of State signs the agreement. Approved projects will assume all eligible expenses until the contract is signed.

Project Operating Expenses

Operating expenses are considered those costs directly related to system operations. At a minimum, the following items must be considered operating expenses: fuel, oil, driver's salaries and fringe benefits, dispatcher salaries and fringe benefits and licenses.

The federal share for net operating expenses may not exceed 50 percent. Of the remainder of the deficit, 50 percent must be financed from sources other than federal funds or revenues of the system (half of the local share must come from local funds).

Local Share may include: State or local appropriations, dedicated tax revenues, private donations, or net income generated from advertising and concessions. Net operating expenses are those expenses that remain after operating revenues are subtracted from eligible operating expenses. At a minimum, operating revenues must include fare box revenues. Fare Box revenues are fares paid by riders.

Funds received by sub-recipients pursuant to service agreements with a State or local social service agency or a private social service organization may be treated as local rather than federal funds, even though the original source of such funds may have been another federal program.

Project Administration Expenses

The federal share shall not exceed 80 percent of the net cost. Administrative costs shall not equal more than 40 percent of the total administrative and operating federal budget. Administrative assistance includes costs that support but are not directly related to system operations. Eligible project administrative costs may include, but are not limited to:

General administrative expenses such as salaries of the project director, secretary, and bookkeeper

- Marketing expenses
- Insurance premiums or payments to a self insurance reserve
- Office supplies
- Facilities and equipment rental,
- Standard overhead costs
- Administering drug and alcohol testing

Project Capital Expenses

All capital equipment purchased and operated with grant funds must be maintained in good operating order, and must be utilized for the purposes described in the grant application. The Federal share shall not exceed 80 percent of the net cost, except that the Federal share may be 90 percent for vehicle related equipment required to comply with the Americans with Disabilities Act of 1990, as amended (ADA), or the Clean Air Act as amended.

A separate application must be submitted, reflecting estimated cost for requested items. Capital assistance includes the acquisition and improvement of public transit equipment and facilities needed for an efficient public transportation system. Examples of capital expenses are busses, vans, radios and communication equipment, vehicle rehabilitation, wheelchair lifts and restraints, passenger shelters, engine overhauls and special maintenance tools, operational support such as computer hardware/software and minor construction or rehabilitation of transit facilities. Vehicle specifications must be reviewed and approved in writing by the Section 5311 Program Manager prior to purchase. See Capital Procurement Guide information under the “Procurement” section of this document.

Transit related “intelligent transportation system” (ITS) equipment (vehicle locator systems, scheduling and other information kiosks, etc.). This new category is subject to a case-by-case review by ADOT-PTD.

Substance Abuse Compliance

Eligible Drug and Alcohol Testing expenses may be funded up to 80 percent federal share. Section 5311 recipients are required to comply with regulations issued by the FTA Substance Abuse Program.

RTAP Training

The Rural Transit Assistance Program (RTAP) is a program designed to provide an enhanced level of training and technical assistance to Section 5310 and Section 5311 transit providers. Current RTAP projects include a resource library, scholarship program, networking meeting fund, annual conference costs, on site technical assistance as requested. ADOT-PTD provides funding for each eligible recipient to meet their in-house training requirements. Cost for this training is reimbursable at 100%. Reimbursement for training must be reflected in the monthly billings spreadsheet. The billings spreadsheet must include a brief statement summarizing the type of training and expenses associated with the requested reimbursement.

O. LOCAL MATCH REQUIREMENTS

Amount and Type of Local Match

At least 20 percent of the local share for administration and 50 percent of the local share for operating expenses must be provided from sources other than federal funds or revenues from the operation of the system. The other half of the local share may be made up of unrestricted funds from other federal programs. Funds from other federal programs may be used only if so authorized by the FTA.

The Section 5311 recipient must provide the entire local match for capital costs. For administration and operating costs, certain forms of in-kind match (e.g., volunteer drivers) might be acceptable in lieu of match. However, all in-kind match must be approved by ADOT-PTD, included in the contract, and thoroughly documented in the recipient's accounting system. Funds derived from purchase of service agreements are generally considered to be cash and must be used either as local match or as operating revenues.

Operating revenues are monies derived from the project, which are returned to the operation of the project to offset operating costs.

All fare box revenues are considered to be operating revenue and therefore cannot be used to satisfy match requirements. (Reference FTA Circular 9040 1 E- 10/98)

	Minimum Local Share	Maximum Federal Share
Administration	20%	80%
Operating	50%	50%
Capital (Section 5311)	20%	80%
Capital (STP flex)*	7%	93%
Substance Abuse Program	20%	80%

*The match ration is at the discretion of the Section 5311 Administrator.

Minimum Fare Recovery Ratio

In any transit system the payment of fares by passengers (or by third parties on behalf of their clients) is a significant measure of the amount of local support for transportation service. ADOT-PTD has set minimum standards for fare revenues to be achieved by recipients of Rural Public Transportation funding. Any issues that relate to fare recovery ratio compliance should be discussed with ADOT-PTD to determine if any adjustments are possible.

They are 22% for Fixed Route, 17% for Demand Response Systems and Check Point Systems.

The standards are expressed below as “required fare box recovery ratios.” Recipients must collect the required recovery ratio of the combined administrative and operating costs of the Project and agrees to make up the difference from local funds. For fiscal year 2004, project billings have been modified to identify operating revenue types (e.g., both fare revenues and “other operating revenues”). Other operating revenues must be reflected in the billings to make up the negative operating revenue differential. Invoices will not be processed until the is eliminated by utilizing these “other operating revenues.”

If operating costs are funded completely from collected fares, any excess fares will be used to reduce the federal share of contract administrative costs.

Fare Recovery Ratio is identified as the total passenger revenues divided by the total gross operating and administrative expenditures.

Hypothetical Example: Riverside Transit, which operates a fixed route, fixed schedule service has projected that they will collect \$8,000 in fares this year. They expect to have \$45,000 in operating costs and \$20,000 in administrative costs, for a total of \$65,000 for the year. The required level of fares for their system, at the required 22% is \$14,300 ($\$65,000 \times 22\%$). Therefore, an additional \$6,300 from other operating revenue sources must be provided from local funds ($\$14,300 - \$8,000$) to compensate for the shortfall in projected fares.

Reimbursement

All operating and administrative payments made under the Section 5311 Rural Public Transportation Program shall be on a cost reimbursement basis, up to the authorized amounts described in the sub-recipient’s contract attachment B. Reimbursement will not be processed until all required information is provided in correct format. Each request for reimbursement must be accompanied by a reimbursement description, which will include information, verify the requested amount. Non-compliance with billing schedule may result in placing the agency in Category B, (refer to guidelines for category definition). The recipient’s last month billing, exclusive of capital and training, will not be processed until all administrative requirements are submitted.

ADOT-PTD will **NOT** consider requests for prepayment of capital costs for rolling stock or other expensive items when covering such a purchase would place an unreasonable hardship on the applicant. No costs incurred prior to October 1, and ADOT-PTD’s authorization to proceed are eligible for reimbursement, unless approved in writing by ADOT-PTD. All expenses incurred during the contract period must be paid by the contractor in full to be eligible for reimbursement by ADOT-PTD.

Billing and Payments

Invoices for reimbursement of operating and non-operating expenses, and a written explanation of such expenses, must be submitted to ADOT-PTD on a monthly or quarterly basis in formats prescribed by ADOT-PTD. The State may impose a 5 percent reduction of total federal reimbursement per billing period for all billings or reports submitted more than 90 calendar days after the end of the billing period. Final invoices may be submitted up to 60 calendar days after the end of the final billing period, before becoming subject to late penalty. ADOT-PTD reimbursements will be made on the maximum Federal share percentage, after fares and other operating revenues are subtracted from the gross operating expenses.

Vehicles

As capital funds become available, ADOT-PTD will continue to participate in the purchase of any suitable bus or van, but will limit its share of the expense to a maximum of 80 percent of the total of a standard bus or van. Any special vehicle equipment or options desired by the project, but not deemed essential by ADOT-PTD will be paid 100 percent by the project.

ADOT-PTD has not historically participated in the leasing of project vehicles. Rural Public Transportation Program funding is approved on an annual basis and leases are typically made for five years. ADOT-PTD cannot guarantee Rural Public Transportation Program funding for additional program years or the life of a lease. Federal guidelines mandate that grant funds be expended in the most cost-effective fashion, which in most cases would be a direct purchase. For ADOT-PTD to consider participating in a vehicle lease, the applicant must demonstrate that the lease provides cost efficiency.

This could include factors such as a lease incorporating both maintenance and insurance. ADOT-PTD may also require a project requesting leasing to request bids for private operation of the system. ADOT-PTD will not participate in a lease, which extends beyond the usable life of the vehicle based on average annual mileage.

Program Timetable for Funded Projects

Failure to comply with the due dates in the following Program Timetable could jeopardize full Federal funding requested for the project. Also, project-billing reimbursements will not be processed until all required information is provided in the correct format.

Product	Due Date (no later than)
Transit Advisory Committee Minutes	1 st quarter - January 31, 2005 2 nd - quarter April 29, 2005 3 rd quarter - July 29, 2005 4 th quarter - October 31, 2005
DBE Report	May 2005
Three Year Transit Plan	With application
Single Audit Report	Due 6 months after the transit provider's agency fiscal year end.

P. STATE PROGRAM MANAGEMENT AND PLANNING

Overall Program Administration

ADOT-PTD is the State agency designated by the Governor to administer the Federal Transportation Administration's Section 5311 Transit Grant Program. ADOT-PTD receives a formula allocation of funds annually which is then utilized to administer the program. Program funds may be used for capital, operating, and administrative assistance to State agencies, local public bodies, and non-profit organizations under city and county sponsorship (including Indian tribes).

In addition to developing the annual Statewide Rural Transit Program application for submittal to FTA, ADOT administers the program at a state level by performing the following activities:

- Providing program information and technical assistance for project development, implementation and operation, and use of public transportation systems in rural and small urban areas.
- Documenting the State's procedures in the State Management Plan; developing project selection criteria; reviewing and selecting projects for approval; forwarding an annual program of projects and grant application to FTA; certifying eligibility of applicants and project activities; insuring compliance with federal requirements by all sub-recipients; monitor project activity and overseeing project audit and closeout.

- Encourage and facilitate the most efficient use of all federal funds used to provide passenger transportation in non-urbanized areas through the coordination of programs and services.
- Integrating the Section 5311 Program with other ADOT-PTD administered FTA Programs including the Section 5310, Rural Assistance Program (RTAP), Statewide Transportation Planning Program (Sections 5313 and the Section 5303 Transit Planning Program for Metropolitan Planning Organizations.
- Assist in the development and support of intercity bus transportation.
- Develop a National Intermodal Transportation system that is economically efficient and environmentally sound.
- Monitor the progress of each project through audits and site visit reviews.
- Keep up with federal regulations by attending State; national, and FTA sponsored conferences.

Transit Automated Program Systems

The Arizona Department of Transportation Public Transportation Division is utilizing the Transit Automated Program Systems (TAPS) project, a multi-year effort to update and improve the quality of its transit asset management system. The purpose of the transit program management system is to provide for better utilization, management, and performance tracking of existing Arizona transit assets and operations; as well as to improve the ability of the State and its local partners to allocate resources. In addition, the TAPS project seeks to streamline the internal business practices of ADOT-PTD's transit grant management process by relying on advanced information systems, remote data entry, geographic systems, and local sub-recipient monitoring.

Typical transit assets included in the system will be rolling stock, maintenance facilities, park-and-rides, transit centers, and fixed guide way facilities. Typical transit performance measures will include vehicle condition, facility condition; transit performance measures will include vehicle condition, facility condition, transit agency performance statistics, and transit agency financial statistics.

As an integral part of ADOT-PTD's administration of grant funds and the resulting growth in asset inventory, over the years the Department has engaged in a deliberate sequence of transit asset management efforts. These efforts have been undertaken to ensure maximum effectiveness of program funds. Some of the new functionality ADOT-PTD's transit asset management system will bring is:

- Streamline the internal business practices of ADOT-PTD's transit funding grant administration, including activities such as:

- Inspecting transit vehicles
- Reviewing local transit management practices and procedures
- Determining funding priorities and awards
- Proactively determining and resolving problems in the field
- Enable ADOT-PTD and its local partners to monitor the condition of transit assets and the performance of public transportation systems.
- Provide decision-makers with public transportation to support investment at the State and local levels
- Better integrate ADOT-PTD's transit asset management system within the planning and programming function at ADOT by developing a GIS inventory of multi-modal transportation facilities and integrating transit information into the State Long Range Transportation Plan and the Five-Year Facilities Program.

Vehicle Inventory Management

Inventories of Section 5311 vehicle contracts are kept up-to-date via annual reports filed with ADOT-PTD, and incorporated into project database files for program management use. In order to better ensure proper vehicle maintenance and use (or verify problems or issues related to improper vehicle management), COGs assist ADOT-PTD with annual vehicle inspections in rural areas, while ADOT-PTD verifies urban recipient compliance. This process has taken on even greater importance, as the Transit Automated Programs System (TAPS) programming becomes fully operational. One of several multi-modal "management systems" originally mandated by ISTEA designed to ensure more effective investment planning and utilization of State transportation resources.

TAPS has been developed to track and the capital investment and lien history on vehicles and, among other tasks, "flag" agencies that may be due for vehicle replacement. The objective of this system is to provide a means to ascertain Statewide condition of the Section 5311 "fleet" and help determine what current and future strategic actions are most beneficial to ensure overall fleet service viability.

Project Monitoring – Recipient Reviews

Recipient reviews are scheduled periodically statewide to assist with program monitoring. These reviews additionally provide ADOT-PTD with the opportunity to assist its recipients on technical or management matters.

Recipient reviews will provide inquiry into a number of areas with a focus on vehicle use, maintenance, insurance, safety, and program audit financial issues. Other areas of interest include:

Recent program changes	Compliance with work scope
Americans with Disabilities Act (ADA)	Vehicle Maintenance Plan
Financial Management with Audit Findings	Procurement Issues
Marketing	Ridership Statistics
3-Year Transit Plan	Program Management – written internal organization, policies and procedures
Planning and Coordination Issues Training	

While these site visits will be conducted with a random schedule, barring unforeseen circumstances, ADOT-PTD will typically give recipient agencies at least two weeks notice prior to their occurrence.

Procurement Process and ADOT-PTD Procurement Manual

ADOT-PTD Section 5311 funding of vehicles is subject to Federal procurement regulations that include Buy America provisions. In 1996, federal guidelines have revised “Buy America” requirements for equipment purchases to exclude “small purchases” (under \$100,000). For purchases over \$100,000, ADOT-PTD and its vendor-manufacturer must certify that a certain percentage of vehicle components are manufactured--and final vehicle assembly occurs--in the United States. For large purchases, ADOT-PTD representatives and vendors must perform vehicle inspections after the manufacturing process to insure federal and State requirements are met.

ADOT-PTD has prepared a procurement manual that documents a step-by-step process for self-procurement of vehicles of the local level for the Section 5311 Program only. Required forms must be completed before ADOT-PTD will approve reimbursement.

In accordance with Federal and State regulations, both entities’ procurement regulations must be followed to ensure compliance with the above-described open-bid/competition procedures, Buy America and Pre-Award and Post-Delivery Audit clauses, Federal Motor Vehicle Safety Standards (FMVSS), and other applicable industry standards and limits. Successful bidders will be compliant with all Federal Civil Rights statutes and regulations, including Title VI, Section 19 of the FT Act (age and sex discrimination), EEO (Title VII of the Civil Rights Act of 1964), DBE and ADA, as outlined in these Guidelines. In addition, applicable Federal assurances regarding Lobbying, Debarment and Suspension are required to be eligible for ADOT-PTD contracts. Any interested vendor, manufacturer or other prospective contractor should contact ADOT Procurement.

State Financial Management

The FTA requires ADOT-PTD to perform financial audits of this program. These audits are done to assure conformance with various FTA and Office of Management and Budget (OMB) grant management requirements and the procurement requirements of these agencies and the State of Arizona. These procedures have been revised to take advantage of recent guidance provided by recent FTA Financial Management Oversight and State Management Reviews. Actions resulting from these recommendations are designed to ensure tighter budget-process control, asset inventory management and enhanced ADOT-FTA reporting capability.

Coordination and Planning

The Transportation Equity Act for the 21st Century (TEA-21) enacted in 1998, calls for State DOTs to undertake activities to ensure that maximum feasible coordination of transportation programs occurs order to optimize Federal grant awards. In Arizona, COGs are utilized to assist in regional screening of applicants annually, and to report to the Department on any transit issues and regional transportation priorities, which may impact or require Section 5311 service. Rural COG involvement occurs, in part, through ADOT-PTD contracts with these regional planning agencies to perform transportation planning and vehicle inspection functions.

Additionally, the FTA and ADOT-PTD have sought to enhance coordination activities, in part through regional FTA efforts seeking multi-State DOT cooperation and networking in developing coordination initiatives interdepartmentally within the various State DOTs.

Q. JOB ACCESS AND REVERSE COMMUTE/STP FUNDS**Purpose**

The Job Access and Reverse Commute grant program assists States and localities in developing new or expanded transportation services that connect welfare recipients and other low-income persons to jobs and other employment related services. Job Access projects are targeted at developing new or expanded transportation services such as shuttles, vanpools, new bus routes; connector services to mass transit, and guaranteed ride home programs for welfare recipients and low-income persons. Reverse Commute projects provide transportation services to suburban employment centers from urban, rural and other suburban location for all populations. Criteria for evaluating grant application for Job Access and Reverse Commute grants include:

- Coordinated human services/transportation planning process involving State or local agencies that administer the Temporary Aid to Needy Families (TANF) and Welfare-to-Work (WtW) programs, the community to be served, and other area stakeholders.
- Unmet need for additional services and extent to which the service will meet that need
- Project financing, including sustainability of funding and financial commitments from human service providers and existing transportation providers

Other factors that may be taken into account include the use of innovative approaches, schedule for project implementation and geographic distribution.

Coordination

The Job Access and Reverse Commute grant program is intended to establish a coordinated regional approach to job access challenges. All projects funded under this program must be the result of a collaborative planning process that includes States and metropolitan planning organizations (MPOs), transportation providers, agencies administering TANF and WtW funds, human services agencies, public housing, child care organizations, employers, States and affected communities and other stakeholders. The program is expected to leverage other funds that are eligible to be expected for transportation and encourage a coordinated approach to transportation services.

Tribal governments must go through the State process but once selected, can choose to be sub-recipients of the State or apply directly to FTA. For further information please check the FTA web site at http://www.fta.dot.gov/9392_8067_ENG_HTML.htm.

Other Coordination Activities

The Division's support of the Arizona Transit Association (AZTA) and ADOT-PTD sponsored membership of its recipients in AZTA is further intended to foster local community coordination of transportation services for their special needs populations. AZTA is composed in part of rural, special needs and large urban transit operators. One of AZTA's objectives is to make training expertise more widely available among and by its members to others within the AZTA membership.

STP Flexible Fund Coordination

The STP program is one of the programs within TEA-21 and is flexible in the type of projects that are eligible. As the State Transportation Board made this funding eligible for transit, the STP funding is eligible only to those municipalities and counties that are eligible to receive funds from the Federal Transit Administration (FTA).

It is important to note that STP flex funding is available annually. The availability of the funding for 2005-2006 has yet to be determined.

One of the benefits of the STP program is that local match rates could be less than the FTA Section 5311 program. At the discretion of the Program Manager, the Section 5311 capital program match rate for these funds could consist of 93 percent federal funding with a local match of 7 percent for the FY 2005-2006 program.

STP Flexible Funds are available to Section 5311 applicants demonstrating a need for additional capital assistance, e.g. facilities, vehicles or other equipment. STP funds have been provided at an approximate maximum federal-to-local match ratio of 93/7%. This very locally favorable match ratio renders this form particularly attractive to those agencies wanting to use their non-STP funding for operation, an activity not supported by STP Funds.

LTAf II

As the applicant may be aware, the State's transit funding program, LTAf II, has been effectively terminated due to General Fund reductions across virtually all State-funded programs. Originally slated to run from State FY 1999 through 2003, LTAf II provided local communities and private-non-profit (PNP) transit providers, through FY 2002, with an important local funding source for capital and operating needs, including local matching funds for existing ADOT-PTD federal transit programs. While there are legislative and other interested parties currently look at "resurrecting" or reinventing LTAf II in one form or another, at this time it is premature to speculate what, if any, program might result in the coming year or two from these deliberations.

The intent of the LTAf II program was to provide additional local transportation funds through FY 2003 to cities, towns, and counties throughout the State. As originally drafted in

the legislature, HB 2565 was intended to enhance funding for local transit systems in both urban and rural areas of the State.

The specific applicability of this timing provision depends on the grant year of the funds and whether a waiver has been granted. FY 2002 recipients may continue to program and spend funds through June 30, 2003. A waiver granted by ADOT-PTD may extend this date one-year to June 30, 2004. Similarly, FY 2001 funds – originating in calendar year 2000 – should have been spent by June 30, 2002 unless a waiver was requested from and granted by ADOT-PTD, extending the expenditure deadline to June 2003. Please contact the Section 5311 Program Manager for additional information on deadline waivers.

State Planning

As an ISTEA requirement, ADOT-PTD has developed a State Transportation Plan. An updated State Transit Plan, as a modal-specific expansion of that effort, further lends support toward cooperative transit planning and service coordination at the local and regional levels. This effort began with regional Transit Development Plans (TDPs) for the four rural planning areas of the State. These TDPs included an assessment of local transit needs within a five-year “horizon,” and achievable coordination and consolidation opportunities within their respective areas.

As a part of their evaluation, COG reviewers are asked to view submittals within the context of needs identified in these TDPs. Development of the TDPs has included a significant public involvement process. To assist with the overall State Plan and subsequent short-range plan development, Ad-hoc Technical Advisory Committees were established in each of the four areas. These provided ADOT-PTD additional opportunities to network with social service agencies involved with provision of human services programs which have transportation-related components.

IV. FEDERAL CERTIFICATIONS AND ASSURANCES

In order to administer the FTA Section 5311 program, ADOT-PTD must enter into an agreement with each local Subrecipient stating the terms and condition of assistance. The state is responsible for ensuring subrecipients compliance with applicable Federal requirements. The mechanism to transmit these requirements is published annually in the Federal Register as the Fiscal Year Certification and Assurances for Federal Transit Administration Assistance Program.

Before award of a grant from the FTA, states must annually submit the FTA Assistance Programs Certifications and Assurances. The states in turn must receive and maintain certifications and sufficient documentation from all local subrecipients to support the assurance to FTA.

Two forms are included in Section Five of the Application Packet. The Federal Fiscal Year Certifications and Assurances must be signed by the agencies authorized representative and the agency attorney. The authorized representative only must sign general Assurances.

The following information provides background on these Certifications and Assurances.

FEDERAL FISCAL YEAR 2005 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS

In accordance with 49 U.S.C. 5323(n), the following certifications and assurances have been compiled for Federal Transit Administration (FTA) assistance programs. FTA requests each Applicant to provide as many certifications and assurances as needed for all programs for which the Applicant intends to seek FTA assistance during Federal Fiscal Year 2005. FTA strongly encourages each Applicant to submit its certifications and assurances through TEAM-Web, FTA's electronic award and management system, at <http://ftateamweb.fta.dot.gov>.

Sixteen (16) Categories of certifications and assurances are listed by numbers 01 through 16 in the TEAM-Web "Recipients" option at the "Cert's & Assurances" tab of "View/Modify Recipient."

01. REQUIRED OF EACH APPLICANT

Each Applicant for FTA assistance must provide all certifications and assurances in this Category "01." FTA may not award any Federal assistance until the Applicant provides these certifications and assurances by selecting Category "01."

A. Authority of Applicant and Its Representative

The authorized representative of the Applicant and the attorney who sign these certifications, assurances, and agreements affirm that both the Applicant and its authorized representative have adequate authority under applicable state and local law and the Applicant's by-laws or internal rules to:

- (1) Execute and file the application for Federal assistance on behalf of the Applicant;
- (2) Execute and file the required certifications, assurances, and agreements on behalf of the Applicant binding the Applicant; and
- (3) Execute grant agreements and cooperative agreements with FTA on behalf of the Applicant.

B. Standard Assurances

The Applicant assures that it will comply with all applicable Federal statutes, regulations, executive orders, FTA circulars, and other Federal requirements in carrying out any project supported by an FTA grant or cooperative agreement. The Applicant agrees that it is under a continuing obligation to comply with the terms and conditions of the grant agreement or cooperative agreement issued for its project with FTA. The Applicant recognizes that Federal those modifications may affect project implementation. The Applicant agrees that the most recent Federal requirements will apply to the project, unless FTA issues a written determination otherwise.

C. Debarment, Suspension, and Other Responsibility Matters for Primary Covered Transactions

Until new Federal Debarment and Suspension regulations are promulgated that discontinue the current requirement for the Debarment and Suspension certification, U.S. DOT regulations regarding Government wide Debarment and Suspension (Nonprocurement) at 49 CFR 29.510 require the following certification:

- (1) The Applicant (Primary Participant) certifies, to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not, within a three (3) year period preceding this certification, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) transaction or contract under a public transaction, violation of Federal or state antitrust statutes, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, state, or local) with commission of any of the offenses listed in subparagraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this certification had one or more

- public transactions (Federal, state, or local) terminated for cause or default.
- (2) The Applicant also certifies that, if it later becomes aware of any information contradicting the statements of paragraph (1) above, it will promptly provide that information to FTA.
 - (3) If the Applicant (Primary Participant) is unable to certify to all statements in paragraphs (1) and (2) of this certification, it shall indicate so in its applications, or in the transmittal letter or message accompanying its annual certifications and assurances, and provide a written explanation to FTA.

D. Drug-Free Workplace Agreement

Until new U.S. DOT Drug-Free Workplace regulations that rescind the requirement for a Drug-Free Workplace certification are promulgated, U.S. DOT regulations, "Drug-Free Workplace Requirements (Grants)," 49 CFR part 29, at Subpart F, as amended by 41 U.S.C. 702, require as follows: The Applicant agrees that it will provide a drug-free workplace by:

- (1) Publishing a statement notifying its employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace and specifying the actions that will be taken against its employees for violation of that prohibition;
- (2) Establishing an ongoing drug-free awareness program to inform its employees about:
 - (a) The dangers of drug abuse in the workplace;
 - (b) Its policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon its employees for drug abuse violations occurring in the workplace;
- (3) Making it a requirement that each of its employees to be engaged in the performance or implementation of the grant agreement or cooperative agreement be given a copy of the statement required by paragraph (1) of this certification;
- (4) Notifying each of its employees in the statement required by paragraph (1) of this certification that, as a condition of employment financed with Federal assistance provided by the grant agreement or cooperative agreement, the employee will be required to:
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer (Applicant) in writing of any conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after that conviction;
- (5) Notifying FTA in writing, within ten (10) calendar days after receiving notice required by paragraph (4)(b) above from an employee or otherwise receiving actual notice of that conviction; the Applicant, as employer of any convicted employee, must provide notice, including position title, to every project officer or other designee on whose project activity the convicted employee was working, and that notice shall include the identification number(s) of each affected grant agreement or cooperative agreement;
- (6) Taking one of the following actions within thirty (30) calendar days of receiving

notice under paragraph (4)(b) of this agreement with respect to any employee who is so convicted:

- (a) Taking appropriate personnel action against that employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring that employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state, or local health, law enforcement, or other appropriate agency; and
- (7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5), and (6) of this agreement. The Applicant agrees to maintain a list identifying its headquarters location and each workplace it maintains in which project activities supported by FTA are conducted, and make that list readily accessible to FTA.

E. Intergovernmental Review Assurance

The Applicant assures that each application for Federal assistance it submits to FTA has been or will be submitted, as required by each state, for intergovernmental review to the appropriate state and local agencies. Specifically, the Applicant assures that it has fulfilled or will fulfill the obligations imposed on FTA by U.S. DOT regulations, "Intergovernmental Review of Department of Transportation Programs and Activities," 49 CFR part 17.

F. Nondiscrimination Assurance

As required by 49 U.S.C. 5332 (which prohibits discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibits discrimination in employment or business opportunity), Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, and U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation--Effectuation of Title VI of the Civil Rights Act," 49 CFR part 21 at 21.7, the Applicant assures that it will comply with all requirements of 49 CFR part 21; FTA Circular 4702.1, "Title VI Program Guidelines for Federal Transit Administration Recipients," and other applicable directives, so that no person in the United States, on the basis of race, color, national origin, creed, sex, or age will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity (particularly in the level and quality of transportation services and transportation-related benefits) for which the Applicant receives Federal assistance awarded by the U.S. DOT or FTA.

Specifically, during the period in which Federal assistance is extended to the project, or project property is used for a purpose for which the Federal assistance is extended or for another purpose involving the provision of similar services or benefits, or as long as the Applicant retains ownership or possession of the project property, whichever is longer, the Applicant assures that:

- (1) Each project will be conducted, property acquisitions will be undertaken, and project facilities will be operated in accordance with all applicable requirements of 49 U.S.C.

5332 and 49 CFR part 21, and understands that this assurance extends to its entire facility and to facilities operated in connection with the project.

- (2) It will promptly take the necessary actions to effectuate this assurance, including notifying the public that complaints of discrimination in the provision of transportation-related services or benefits may be filed with U.S. DOT or FTA. Upon request by U.S. DOT or FTA, the Applicant assures that it will submit the required information pertaining to its compliance with these requirements.
- (3) It will include in each subagreement, property transfer agreement, third party contract, third party subcontract, or participation agreement adequate provisions to extend the requirements of 49 U.S.C. 5332 and 49 CFR part 21 to other parties involved therein including any subrecipient, transferee, third party contractor, third party subcontractor at any level, successor in interest, or any other participant in the project.
- (4) Should it transfer real property, structures, or improvements financed with Federal assistance provided by FTA to another party, any deeds and instruments recording the transfer of that property shall contain a covenant running with the land assuring nondiscrimination for the period during which the property is used for a purpose for which the Federal assistance is extended or for another purpose involving the provision of similar services or benefits.
- (5) The United States has a right to seek judicial enforcement with regard to any matter arising under the Act, regulations, and this assurance.
- (6) It will make any changes in its 49 U.S.C. 5332 and Title VI implementing procedures as U.S. DOT or FTA may request.

G. Assurance of Nondiscrimination on the Basis of Disability

As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," at 49 CFR 27.9, the Applicant assures that, as a condition to the approval or extension of any Federal assistance awarded by FTA to construct any facility, obtain any rolling stock or other equipment, undertake studies, conduct research, or to participate in or obtain any benefit from any program administered by FTA, no otherwise qualified person with a disability shall be, solely by reason of that disability, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity receiving or benefiting from Federal assistance administered by the FTA or any entity within U.S. DOT. The Applicant assures that project implementation and operations so assisted will comply with all applicable requirements of U.S. DOT regulations implementing the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, *et seq.*, and the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 *et seq.*, and implementing U.S. DOT regulations at 49 CFR parts 27, 37, and 38, and any applicable regulations and directives issued by other Federal departments or agencies.

H. Procurement Compliance Certification

The Applicant certifies that its procurements and procurement system will comply with all applicable third party procurement requirements of Federal laws, executive orders,

regulations, and FTA directives (including FTA Circular 4220.1E, "Third Party Contracting Guidelines," including any revisions thereto) and other requirements FTA may issue and any revisions thereto. The Applicant certifies that it will include in its contracts financed in whole or in part with FTA assistance all clauses required by Federal laws, executive orders, or regulations, and will ensure that each subrecipient and each contractor will also include in its subagreements and its contracts financed in whole or in part with FTA assistance all applicable clauses required by Federal laws, executive orders, or regulations.

I. Certifications and Assurances Required by the U.S. Office of Management and Budget (OMB) (SF-424B and SF-424D)

As required by OMB, the Applicant certifies that it:

- (1) Has the legal authority to apply for Federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in its application;
- (2) Will give FTA, the Comptroller General of the United States, and, if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives;
- (3) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain;
- (4) Will initiate and complete the work within the applicable project time periods following receipt of FTA approval;
- (5) Will comply with all applicable Federal statutes relating to nondiscrimination including, but not limited to:
 - (a) Title VI of the Civil Rights Act, 42 U.S.C. 2000d, which prohibits discrimination on the basis of race, color, or national origin;
 - (b) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 through 1683, and 1685 through 1687, and U.S. DOT regulations, "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance," 49 CFR part 25, which prohibit discrimination on the basis of sex;
 - (c) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of handicap;
 - (d) The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 through 6107, which prohibits discrimination on the basis of age;
 - (e) The Drug Abuse Office and Treatment Act of 1972, Pub. L. 92-255, March 21, 1972, and amendments thereto, 21 U.S.C. 1174 *et seq.* relating to nondiscrimination on the basis of drug abuse;
 - (f) The Comprehensive Alcohol Abuse and Alcoholism Prevention Act of 1970, Pub. L. 91-616, Dec. 31, 1970, and amendments thereto, 42 U.S.C. 4581 *et seq.* relating to nondiscrimination on the basis of alcohol abuse or alcoholism;

- (g) The Public Health Service Act of 1912, as amended, 42 U.S.C. 290dd-3 and 290ee-3, related to confidentiality of alcohol and drug abuse patient records;
 - (h) Title VIII of the Civil Rights Act, 42 U.S.C. 3601 *et seq.*, relating to nondiscrimination in the sale, rental, or financing of housing;
 - (i) Any other nondiscrimination provisions in the specific statutes under which Federal assistance for the project may be provided including, but not limited, to 49 U.S.C. 5332, which prohibits discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibits discrimination in employment or business opportunity, and section 1101(b) of the Transportation Equity Act for the 21st Century, 23 U.S.C. 101 note, which provides for participation of disadvantaged business enterprises in FTA programs; and
 - (j) Any other nondiscrimination statute(s) that may apply to the project;
- (6) Will comply with, or has complied with, the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (Uniform Relocation Act) 42 U.S.C. 4601 *et seq.*, which, among other things, provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in any purchase. As required by sections 210 and 305 of the Uniform Relocation Act, 42 U.S.C. 4630 and 4655, and U.S. DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR 24.4, the Applicant assures that it has the requisite authority under applicable state and local law to comply with the requirements of the Uniform Relocation Act, 42 U.S.C. 4601 *et seq.*, and U.S. DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR part 24, and will comply with or has complied with that Act and those U.S. DOT implementing regulations, including but not limited to the following:
- (a) The Applicant will adequately inform each affected person of the benefits, policies, and procedures provided for in 49 CFR part 24;
 - (b) The Applicant will provide fair and reasonable relocation payments and assistance as required by 42 U.S.C. 4622, 4623, and 4624; 49 CFR part 24; and any applicable FTA procedures, to or for families, individuals, partnerships, corporations, or associations displaced as a result of any project financed with FTA assistance;
 - (c) The Applicant will provide relocation assistance programs offering the services described in 42 U.S.C. 4625 to such displaced families, individuals, partnerships, corporations, or associations in the manner provided in 49 CFR part 24 and FTA procedures;
 - (d) Within a reasonable time before displacement, the Applicant will make available comparable replacement dwellings to displaced families and individuals as required by 42 U.S.C. 4625(c)(3);
 - (e) The Applicant will carry out the relocation process in such manner as to provide displaced persons with uniform and consistent services, and will make available replacement housing in the same range of choices with respect to such housing to all displaced persons regardless of race, color, religion, or national origin;

- (f) In acquiring real property, the Applicant will be guided to the greatest extent practicable under state law, by the real property acquisition policies of 42 U.S.C. 4651 and 4652;
 - (g) The Applicant will pay or reimburse property owners for necessary expenses as specified in 42 U.S.C. 4653 and 4654, with the understanding that FTA will provide Federal financial assistance for the Applicant's eligible costs of providing payments for those expenses, as required by 42 U.S.C. 4631;
 - (h) The Applicant will execute such amendments to third party contracts and subagreements financed with FTA assistance and execute, furnish, and be bound by such additional documents as FTA may determine necessary to effectuate or implement the assurances provided herein; and
 - (i) The Applicant agrees to make these assurances part of or incorporate them by reference into any third party contract or subagreement, or any amendments thereto, relating to any project financed by FTA involving relocation or land acquisition and provide in any affected document that these relocation and land acquisition provisions shall supersede any conflicting provisions;
- (7) To the extent applicable, will comply with the Davis-Bacon Act, as amended, 40 U.S.C. 3141 *et seq.*, the Copeland Act, as amended, 18 U.S.C. 874, and the Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. 3701 *et seq.*, regarding labor standards for federally assisted subagreements; To the extent applicable, will comply with the flood insurance purchase requirements of section 102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012a(a), requiring recipients in a special flood hazard area to participate in the program and purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more;
 - (8) Will comply with the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. 4831(b), which prohibits the use of lead-based paint in the construction or rehabilitation of residence structures;
 - (9) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities on which a construction project supported with FTA assistance takes place without permission and instructions from the awarding agency;
 - (10) Will record the Federal interest in the title of real property in accordance with FTA directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project;
 - (11) Will comply with FTA requirements concerning the drafting, review, and approval of plans and specifications of any construction project supported with FTA assistance. As required by U.S. DOT regulations, "Seismic Safety," 49 CFR 41.117(d), before accepting delivery of any building financed with FTA assistance, it will obtain a certificate of compliance with the seismic design and construction requirements of 49 CFR part 41;
 - (12) Will provide and maintain competent and adequate engineering supervision at the construction site of any project supported with FTA assistance to ensure that the complete work conforms with the approved plans and specifications, and will furnish progress reports and such other information as may be required by FTA or the state;

- (13) Will comply with any applicable environmental standards that may be prescribed to implement the following Federal laws and executive orders:
- (a) Institution of environmental quality control measures under the National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 *et seq.* and Executive Order No. 11514, as amended, 42 U.S.C. 4321 note;
 - (b) Notification of violating facilities pursuant to Executive Order No. 11738, 42 U.S.C. 7606 note;
 - (c) Protection of wetlands pursuant to Executive Order No. 11990, 42 U.S.C. 4321 note;
 - (d) Evaluation of flood hazards in floodplains in accordance with Executive Order 11988, 42 U.S.C. 4321 note;
 - (e) Assurance of project consistency with the approved state management program developed pursuant to the requirements of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 *et seq.*;
 - (f) Conformity of Federal actions to State (Clean Air) Implementation Plans under section 176(c) of the Clean Air Act of 1955, as amended, 42 U.S.C. 7401 *et seq.*;
 - (g) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, 42 U.S.C. 300h *et seq.*;
 - (h) Protection of endangered species under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 *et seq.*; and
 - (i) Environmental protections for Federal transportation programs, including, but not limited to, protections for parks, recreation areas, or wildlife or waterfowl refuges of national, state, or local significance or any land from a historic site of national, state, or local significance to be used in a transportation project as required by 49 U.S.C. 303;
 - (j) Protection of the components of the national wild and scenic rivers systems, as required under the Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. 1271 *et seq.*; and
 - (k) Provision of assistance to FTA in complying with section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470f; the Archaeological and Historic Preservation Act of 1974, as amended, 16 U.S.C. 469a-1 *et seq.*; and Executive Order No. 11593 (identification and protection of historic properties), 16 U.S.C. 470 note;
- (14) To the extent applicable, will comply with the requirements of the Hatch Act, 5 U.S.C. 1501 through 1508, and 7324 through 7326, which limit the political activities of state and local agencies and their officers and employees whose primary employment activities are financed in whole or part with Federal funds including a Federal grant agreement, cooperative agreement, or loan; except, in accordance with 23 U.S.C. 142(g), the Hatch Act does not apply to a nonsupervisory employee of a transit system (or of any other agency or entity performing related functions) receiving FTA assistance to whom that Act does not otherwise apply;
- (15) Will comply with the National Research Act, Pub. L. 93-348, July 12, 1974, as amended, at 42 U.S.C. 289 *et seq.*, and U.S. DOT regulations, "Protection of Human Subjects," 49 CFR part 11, regarding the protection of human subjects involved in research, development, and related activities supported by Federal assistance;

- (16) Will comply with the Laboratory Animal Welfare Act of 1966, as amended, 7 U.S.C. 2131 *et seq.*, and U.S. Department of Agriculture regulations, "Animal Welfare," 9 CFR subchapter A, parts 1, 2, 3, and 4, pertaining to the care, handling, and treatment of warm blooded animals held or used for research, teaching, or other activities supported by Federal assistance;
- (17) Will have performed the financial and compliance audits required by the Single Audit Act Amendments of 1996, 31 U.S.C. 7501.A-133, "Audits of States, Local Governments, and Non-Profit Organizations," Revised, and the most recent applicable OMB A-133 Compliance Supplement provisions for the Department of Transportation; and
- (18) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the project.

02. LOBBYING

An Applicant that submit or intends to submit an application for Federal assistance exceeding \$100,000 must provide the following certification. FTA may not award Federal assistance exceeding \$100,000 until the Applicant provides this certification by selecting Category "02."

- A. As required by U.S. DOT regulations, "New Restrictions on Lobbying," at 49 CFR 20.110, the Applicant's authorized representative certifies to the best of his or her knowledge and belief that for each application for Federal assistance exceeding \$100,000:
- B.
 - (1) No Federal appropriated funds have been or will be paid by or on behalf of the Applicant to any person to influence or attempt to influence an officer or employee of any Federal agency, Member of Congress, officer or employee of Congress, or employee of a Member of Congress about an award of Federal assistance, or the continuation, renewal, extension, amendment, or modification of any Federal assistance agreement; and
 - (2) If any funds other than Federal appropriated funds have been or will be paid to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any application for Federal assistance, the Applicant assures that it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," including information required by the instructions accompanying the form, which form may be amended to omit such information as authorized by 31 U.S.C. 1352.
 - (3) The language of this certification shall be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements).
 - (4) The language of this certification shall be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements).
- C. The Applicant understands that this certification is a material representation of fact

upon which reliance is placed and that submission of this certification is a prerequisite for providing Federal assistance for a transaction covered by 31 U.S.C. 1352. The Applicant also understands that any person who fails to file a required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

03. PRIVATE MASS TRANSPORTATION COMPANIES

A State or local government Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 to acquire the property or an interest in the property of a private mass transportation company or to operate mass transportation equipment or facilities in competition with, or in addition to, transportation service provided by an existing mass transportation company must provide the following certification. FTA may not award Federal assistance for that type of project until the Applicant provides this certification by selecting Category "03."

As required by 49 U.S.C. 5323(a)(1), the Applicant certifies that before it acquires the property or an interest in the property of a private mass transportation company or operates mass transportation equipment or facilities in competition with, or in addition to, transportation service provided by an existing mass transportation company, it has or will have:

- A. Found that the assistance is essential to carrying out a program of projects as determined by the plans and programs of the metropolitan planning organization;
- B. Provided for the participation of private mass transportation companies to the maximum extent feasible consistent with applicable FTA requirements and policies;
- C. Paid just compensation under state or local law to a private mass transportation company for its franchises or property acquired; and
- D. Acknowledged that the assistance falls within the labor standards compliance requirements of 49 U.S.C. 5333(a) and 5333(b).

04. PUBLIC HEARING

An Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 for a capital project that will substantially affect a community or a community's mass transportation service must provide the following certification. FTA may not award Federal assistance for that type of project until the Applicant provides this certification by selecting Category "04."

As required by 49 U.S.C. 5323(b), the Applicant certifies that it has, or before submitting its application, it will have:

- A. Provided an adequate opportunity for a public hearing with adequate prior notice of the proposed project published in a newspaper of general circulation in the geographic area to be served;
- B. Held that hearing and provided FTA a transcript or detailed report summarizing the issues and responses, unless no one with a significant economic, social, or environmental interest requests a hearing;

- C. Considered the economic, social, and environmental effects of the proposed project; and
- D. Determined that the proposed project is consistent with official plans for developing the urban area.

05. ACQUISITION OF ROLLING STOCK

An Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 to acquire any rolling stock must provide the following certification. FTA may not award any Federal assistance to acquire such rolling stock until the Applicant provides this certification by selecting Category "05."

As required by 49 U.S.C. 5323(m) and implementing FTA regulations at 49 CFR 663.7, the Applicant certifies that it will comply with the requirements of 49 CFR part 663 when procuring revenue service rolling stock. Among other things, the Applicant agrees to conduct or cause to be conducted the requisite pre-award and post-delivery reviews, and maintain on file the certifications required by 49 CFR part 663, subparts B, C, and D.

06. BUS TESTING

An Applicant for Federal assistance appropriated or made available for 49 U.S.C. chapter 53 to acquire any new bus model or any bus model with a new major change in configuration or components must provide the following certification. FTA may not provide assistance for the acquisition of new buses until the Applicant provides this certification by selecting Category "06."

As required by FTA regulations, "Bus Testing," at 49 CFR 665.7, the Applicant certifies that before it expends any Federal financial assistance to acquire the first bus of any new bus model or any bus model with a new major change in configuration or components, or before authorizing final acceptance of a new bus model, a newly configured bus model, or a bus model with a major change in components (as described in 49 CFR part 665), the bus model:

- A. Will have been tested at a bus testing facility approved by FTA; and
- B. Will have received a copy of the test report prepared on the bus model.

07. CHARTER SERVICE AGREEMENT

An Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or by Title 23, U.S.C. to acquire or operate any mass transportation equipment or facilities must enter into the following Charter Service Agreement. FTA may not provide assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or by Title 23, U.S.C. for projects until the Applicant enters into this Charter Service Agreement by selecting Category "07."

- A. As required by 49 U.S.C. 5323(d) and FTA regulations, "Charter Service," at 49 CFR 604.7, the Applicant agrees that it and its recipients will:
 - (1) Provide charter service that uses equipment or facilities acquired with Federal assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or Title

- 23, U.S.C., only to the extent that there are no private charter service operators willing and able to provide the charter service that it or its recipients desire to provide, unless one or more of the exceptions in 49 CFR 604.9 applies; and
- (2) Comply with the requirements of 49 CFR part 604 before providing any charter service using equipment or facilities acquired with Federal assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or Title 23, U.S.C. for transportation projects.
- B. As the Applicant understands that:
- (1) The requirements of 49 CFR part 604 will apply to any charter service it provides,
 - (2) The definitions of 49 CFR part 604 apply to this Charter Service Agreement, and
 - (3) A violation of this Charter Service Agreement may require corrective measures and imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

08. SCHOOL TRANSPORTATION AGREEMENT

An Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 or by Title 23, U.S.C. to acquire or operate transportation facilities and equipment must enter into the following School Transportation Agreement. FTA may not provide assistance for such projects until the Applicant enters into this agreement by selecting Category "08."

- A. As required by 49 U.S.C. 5323(f) and FTA regulations, "School Bus Operations," at 49 CFR 605.14, the Applicant agrees that it and all its recipients will:
- (1) Engage in school transportation operations in competition with private school transportation operators only to the extent permitted by 49 U.S.C. 5323(f), and Federal regulations; and
 - (2) Comply with the requirements of 49 CFR part 605 before providing any school transportation using equipment or facilities acquired with Federal assistance and authorized by 49 U.S.C. chapter 53 or Title 23 U.S.C. for transportation projects.
- B. As The Applicant understands that:
- (1) The requirements of 49 CFR part 605 will apply to any school transportation service it provides,
 - (2) The definitions of 49 CFR part 605 apply to this school transportation agreement, and
 - (3) A violation of this School Transportation Agreement may require corrective measures and imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

09. DEMAND RESPONSIVE SERVICE

An Applicant that operates demand responsive service and applies for direct Federal assistance authorized for 49 U.S.C. chapter 53 to acquire non-rail mass transportation vehicles is required to provide the following certification. FTA may not award direct Federal assistance authorized for 49 U.S.C. chapter 53 to an Applicant that operates demand responsive service to acquire non-rail mass transportation vehicles until the Applicant provides this certification by selecting Category "09."

As required by U.S. DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," at 49 CFR 37.77(d), the Applicant certifies that its demand responsive service offered to persons with disabilities, including persons who use wheelchairs, is equivalent to the level and quality of service offered to persons without disabilities. When the Applicant's service is viewed in its entirety, the Applicant's service for persons with disabilities is provided in the most integrated setting feasible and is equivalent with respect to: (1) response time, (2) fares, (3) geographic service area, (4) hours and days of service, (5) restrictions on trip purpose, (6) availability of information and reservation capability, and (7) constraints on capacity or service availability.

10. ALCOHOL MISUSE AND PROHIBITED DRUG USE

If the Applicant is required to provide the following certification concerning its activities to prevent alcohol misuse and prohibited drug use in its transit operations, FTA may not provide Federal assistance to that Applicant until it provides this certification by selecting Category "10."

As required by FTA regulations, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," at 49 CFR part 655, subpart I, the Applicant certifies that it has established and implemented an alcohol misuse and anti-drug program, and has complied with or will comply with all applicable requirements of FTA regulations, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," 49 CFR part 655.

11. INTEREST AND OTHER FINANCING COSTS

An Applicant that intends to request the use of Federal assistance for reimbursement of interest or other financing costs incurred for its capital projects must provide the following certification. FTA may not provide assistance to support those costs until the Applicant provides this certification by selecting Category "11."

In compliance with 49 U.S.C. 5307(g), 49 U.S.C. 5309(g)(2)(B), 49 U.S.C. 5309(g)(3)(A), and 49 U.S.C. 5309(n), the Applicant certifies that it will not seek reimbursement for interest and other financing costs unless its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require.

12. INTELLIGENT TRANSPORTATION SYSTEMS

An Applicant for FTA assistance for an Intelligent Transportation Systems (ITS) project, defined as any project that in whole or in part finances the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the "National ITS Architecture," must provide the following assurance. FTA may not award any Federal assistance for an ITS project until the Applicant provides this assurance by selecting Category "12."

As used in this assurance, the term Intelligent Transportation Systems (ITS) project is

defined to include any project that in whole or in part finances the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the "National ITS Architecture."

- A. In accordance with section 5206(e) of TEA-21, 23 U.S.C. 502 note, the Applicant assures it will comply with all applicable requirements of Section V (Regional ITS Architecture and Section VI (Project Implementation) of FTA Notice, "FTA National ITS Architecture Policy on Transit Projects," at 66 *Fed. Reg.* 1455 *et seq.*, January 8, 2001, and other FTA requirements that may be issued in connection with any ITS project it undertakes financed with Highway Trust Funds (including funds from the mass transit account) or funds made available for the Intelligent Transportation Systems Program authorized by TEA-21, title V, subtitle C, 23 U.S.C. 502 note.
- B. With respect to any ITS project financed with Federal assistance derived from a source other than Highway Trust Funds (including funds from the Mass Transit Account) or TEA-21, title V, subtitle C, 23 U.S.C. 502 note, the Applicant assures that it will use its best efforts to ensure that any ITS project it undertakes will not preclude interface with other intelligent transportation systems in the Region.

13. URBANIZED AREA, JARC, AND CLEAN FUELS PROGRAMS

Each Applicant for Urbanized Area Formula Program assistance authorized by 49 U.S.C. 5307, each Applicant for Job Access and Reverse Commute Program assistance authorized by section 3037 of the Transportation Equity Act for the 21st Century, 49 U.S.C. 5309 note, and each Applicant for Clean Fuels Formula Program assistance authorized by 49 U.S.C. 5308 must provide the following certifications. FTA may not award Federal assistance for those programs until the Applicant provides these certifications and assurances by selecting Category "13." A state or other Applicant providing certifications and assurances that require the compliance of its prospective subrecipients is expected to obtain sufficient documentation from those subrecipients to assure the validity of its certifications and assurances.

Each Applicant that received Transit Enhancement funds authorized by 49 U.S.C. 5307(k)(1) must list the projects carried out during that Federal fiscal year with those funds in its quarterly report for the fourth quarter of the preceding Federal fiscal year. That list constitutes the report of transit enhancement projects carried out during that fiscal year, which report is required to be submitted as part of the Applicant's annual certifications and assurances, in accordance with 49 U.S.C. 5307(k)(3), and is therefore incorporated by reference and made part of the Applicant's annual certifications and assurances. FTA may not award Urbanized Area Formula Program assistance to any Applicant that has received Transit Enhancement funds authorized by 49 U.S.C. 5307(k)(1), unless that Applicant's quarterly report for the fourth quarter of the preceding Federal fiscal year has been submitted to FTA and includes the requisite list.

A. Certifications Required for the Urbanized Area Formula Program

- (1) As required by 49 U.S.C. 5307(d)(1)(A) through (J), the Applicant certifies and assures as follows:

- (a) It has or will have the legal, financial, and technical capacity to carry out the proposed program of projects;
- (b) It has or will have satisfactory continuing control over the use of Project equipment and facilities;
- (c) It will adequately maintain the equipment and facilities;
- (d) It will ensure that elderly and handicapped persons, or any person presenting a Medicare card issued to himself or herself pursuant to title II or title XVIII of the Social Security Act (42 U.S.C. 401 *et seq.* or 42 U.S.C. 1395 *et seq.*), will be charged for transportation during non-peak hours using or involving a facility or equipment of a project financed with Federal assistance authorized for 49 U.S.C. 5307, or for the Job Access and Reverse Commute Program at section 3037 of the Transportation Equity Act for the 21st Century (TEA-21), 49 U.S.C. 5309 note, not more than fifty (50) percent of the peak hour fare;
- (e) In carrying out a procurement financed with Federal assistance authorized for the Urbanized Area Formula Program, 49 U.S.C. 5307, or the Job Access and Reverse Commute Program, section 3037 of TEA-21, 49 U.S.C. 5309 note, it: (1) will use competitive procurement (as defined or approved by the Secretary), (2) will not use exclusionary or discriminatory specifications, and (3) will comply with applicable Buy America laws;
- (f) It has complied with or will comply with the requirements of 49 U.S.C. 5307(c). Specifically, it: (1) has made available, or will make available, to the public information on the amounts available for the Urbanized Area Formula Program, 49 U.S.C. 5307 and, if applicable, the Job Access and Reverse Commute Grant Program, 49 U.S.C. 5309 note, and the program of projects it proposes to undertake; (2) has developed or will develop, in consultation with interested parties including private transportation providers, a proposed program of projects for activities to be financed; (3) has published or will publish a proposed program of projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed program and submit comments on the proposed program and the performance of the Applicant; (4) has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed program of projects; (5) has ensured or will ensure that the proposed program of projects provides for the coordination of transportation services assisted under 49 U.S.C. 5336 with transportation services assisted by another Federal Government source; (6) has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final program of projects; and (7) has made or will make the final program of projects available to the public;
- (g) It has or will have available and will provide the amount of funds required by 49 U.S.C. 5307(e) and applicable FTA policy (specifying Federal and local shares of project costs);
- (h) It will comply with: 49 U.S.C. 5301(a) (requirements for transportation systems that maximize mobility and minimize fuel consumption and air pollution); 49 U.S.C. 5301(d) (requirements for transportation of the elderly and persons with disabilities); 49 U.S.C. 5303 through 5306 (planning requirements); and 49 U.S.C. 5301(d) (special efforts to design and provide mass transportation for the

- elderly and persons with disabilities);
- (i) It has a locally developed process to solicit and consider public comment before raising fares or implementing a major reduction of transportation; and
 - (j) As required by 49 U.S.C. 5307(d)(1)(J), unless it has determined that it is not necessary to expend one (1) percent of the amount of Federal assistance it receives for this fiscal year apportioned in accordance with 49 U.S.C. 5336 for transit security projects, it will expend at least one (1) percent of that assistance for transit security projects, including increased lighting in or adjacent to a transit system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, emergency telephone line or lines to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned transit system.
- (2) As required by 49 U.S.C. 5307(k)(3), if it has received Transit Enhancement funds authorized by 49 U.S.C. 5307(k)(1), its quarterly report for the fourth quarter of the preceding Federal fiscal year includes a list of the projects it has implemented during that fiscal year using those funds, and that report is incorporated by reference and made part of its certifications and assurances.

B. Certification Required for Capital Leasing

As required by FTA regulations, "Capital Leases," at 49 CFR 639.15(b)(1) and 49 CFR 639.21, if the Applicant acquires any capital asset by lease financed with Federal assistance authorized for 49 U.S.C. 5307 or section 3037 of TEA-21, 49 U.S.C. 5309 note, the Applicant certifies as follows:

- (1) It will not use Federal assistance authorized for 49 U.S.C. 5307 or section 3037 of TEA-21, 49 U.S.C. 5309 note, to finance the cost of leasing any capital asset until it performs calculations demonstrating that leasing the capital asset would be more cost-effective than purchasing or constructing a similar asset;
- (2) It will complete these calculations before entering into the lease or before receiving a capital grant for the asset, whichever is later; and
- (3) It will not enter into a capital lease for which FTA can provide only incremental Federal assistance unless it has adequate financial resources to meet its future obligations under the lease in the event Federal assistance is not available for capital projects in subsequent years.

C. Certification Required for the Sole Source Acquisition of an Associated Capital Maintenance Item

As required by 49 U.S.C. 5325(c), the Applicant certifies that when it procures an associated capital maintenance item as authorized by 49 U.S.C. 5307(b)(1), it will use competition, unless the original manufacturer or supplier of the item is the only source for that item and the price of that item is no more than the price similar customers pay for that item, and that for each such procurement, it will maintain sufficient records on file and easily retrievable for inspection by FTA.

D. Clean Fuels Formula Grant Program Certification

As required by 49 U.S.C. 5308(c)(2), the Applicant certifies that vehicles financed with Federal assistance provided for the Clean Fuels Formula Program, 49 U.S.C. 5308, will be operated only with clean fuels.

14. ELDERLY AND PERSONS WITH DISABILITIES PROGRAM

An Applicant that intends to administer the Elderly and Persons with Disabilities Program on behalf of a state must provide the following certifications and assurances. In providing certifications and assurances that require the compliance of its prospective subrecipients, the Applicant is expected to obtain sufficient documentation from those subrecipients to assure the validity of its certifications and assurances. FTA may not award assistance for the Elderly and Persons with Disabilities Program until the Applicant provides these certifications and assurances by selecting Category "14."

The Applicant administering, on behalf of the state, the Elderly and Persons with Disabilities Program authorized by 49 U.S.C. 5310 certifies and assures that the following requirements and conditions will be fulfilled:

- A. The state organization serving as the Applicant and each subrecipient has or will have the necessary legal, financial, and managerial capability to apply for, receive, and disburse Federal assistance authorized for 49 U.S.C. 5310; and to implement and manage the project.
- B. The state assures that each subrecipient either is recognized under state law as a private nonprofit organization with the legal capability to contract with the state to carry out the proposed project, or is a public body that has met the statutory requirements to receive Federal assistance authorized for 49 U.S.C. 5310.
- C. The private nonprofit subrecipient's application for 49 U.S.C. 5310 assistance contains information from which the state concludes that the transit service provided or offered to be provided by existing public or private transit operators is unavailable, insufficient, or inappropriate to meet the special needs of the elderly and persons with disabilities.
- D. The state assures that sufficient non-Federal funds have been or will be committed to provide the required local share.
- E. The state assures that, before issuing the state's formal approval of a project, its Elderly and Persons with Disabilities Formula Program is included in the Statewide Transportation Improvement Program as required by 23 U.S.C. 135; all projects to be implemented in urbanized areas recommended for approval are included in the metropolitan Transportation Improvement Program in which the subrecipient is located; and any prospective subrecipient of capital assistance that is a public body has provided an opportunity for a public hearing.
- F. The state recognizes that the subrecipient, rather than the state itself, will be ultimately responsible for implementing many Federal requirements covered by the certifications and assurances the state has signed. After having taken appropriate measures to secure the necessary compliance by each subrecipient, the state assures, on behalf of each subrecipient, that:

- (1) The subrecipient has or will have by the time of delivery, sufficient funds to operate and maintain the vehicles and equipment financed with Federal assistance awarded for its project;
 - (2) The subrecipient has coordinated or will coordinate to the maximum extent feasible with other transportation providers and users, including social service agencies authorized to purchase transit service;
 - (3) The subrecipient has complied or will comply with all applicable civil rights requirements;
 - (4) The subrecipient has complied or will comply with applicable requirements of U.S. DOT regulations regarding participation of disadvantaged business enterprises in U.S. DOT programs;
 - (5) The subrecipient has complied or will comply with Federal requirements regarding transportation of elderly persons and persons with disabilities;
 - (6) The subrecipient has complied or will comply with applicable provisions of 49 CFR part 605 pertaining to school transportation operations;
 - (7) Viewing its demand responsive service to the general public in its entirety, the subrecipient has complied or will comply with the requirement to provide demand responsive service to persons with disabilities, including persons who use wheelchairs, meeting the standards of equivalent service of 49 CFR 37.77(c), before purchasing non-accessible vehicles for use in demand responsive service for the general public;
 - (8) The subrecipient has established or will establish a procurement system, and has conducted or will conduct its procurements in compliance with all applicable provisions of Federal laws, executive orders, regulations, FTA Circular 4220.1E, "Third Party Contracting Requirements," as amended and revised, and other Federal requirements that may be applicable;
 - (9) The subrecipient has complied or will comply with the requirement that its project provide for the participation of private mass transportation companies to the maximum extent feasible;
 - (10) The subrecipient has paid or will pay just compensation under state or local law to each private mass transportation company for its franchise or property acquired under the project;
 - (11) The subrecipient has complied or will comply with all applicable lobbying requirements for each application exceeding \$100,000;
 - (12) The subrecipient has complied or will comply with all applicable nonprocurement suspension and debarment requirements;
 - (13) The subrecipient has complied or will comply with all applicable bus testing requirements for new bus models;
 - (14) The subrecipient has complied or will comply with applicable FTA Intelligent Transportation Systems architecture requirements to the extent required by FTA; and
 - (15) The subrecipient has complied or will comply with all applicable pre-award and post-delivery review requirements.
- G. Unless otherwise noted, each of the subrecipient's projects qualifies for a categorical exclusion and does not require further environmental approvals, as described in the joint FHWA/FTA regulations, "Environmental Impact and Related Procedures," at 23

CFR 771.117(c). The state certifies that, until the required Federal environmental finding is made, financial assistance will not be provided for any project that does not qualify for a categorical exclusion described in 23 CFR 771.117(c). The state further certifies that, until the required Federal conformity finding has been made, no financial assistance will be provided for a project requiring a Federal conformity finding in accordance with the U.S. Environmental Protection Agency's Clean Air Conformity regulations at 40 CFR parts 51 and 93.

- H. The state assures that it will enter into a written agreement with each subrecipient stating the terms and conditions of assistance by which the project will be undertaken and completed.
- I. The state recognizes the authority of FTA, U.S. DOT, and the Comptroller General of the United States to conduct audits and reviews to verify compliance with the foregoing requirements and stipulations, and assures that, upon request, the State and its subrecipients will make the necessary records available to FTA, U.S. DOT and the Comptroller General of the United States. The state also acknowledges its obligation under 49 CFR 18.40(a) to monitor project activities carried out by its subrecipients to assure compliance with applicable Federal requirements.

15. NONURBANIZED AREA FORMULA PROGRAM

An Applicant that intends to administer the Nonurbanized Area Formula Program on behalf of a state must provide the following certifications and assurances. In providing certifications and assurances that require the compliance of its prospective subrecipients, the Applicant is expected to obtain sufficient documentation from those subrecipients to assure the validity of its certifications and assurances. FTA may not award Nonurbanized Area Formula Program assistance to the Applicant until the Applicant provides these certifications and assurances by selecting Categories "1" through 11" and "15."

The Applicant administering, on behalf of the state, the Nonurbanized Area Formula Program authorized by 49 U.S.C. Section 5311 certifies and assures that the following requirements and conditions will be fulfilled:

- A. The state organization serving as the Applicant and each subrecipient has or will have the necessary legal, financial, and managerial capability to apply for, receive, and disburse Federal assistance authorized for 49 U.S.C. Section 5311; and to implement and manage the project.
- B. The state assures that sufficient non-Federal funds have been or will be committed to provide the required local share.
- C. The state assures that before issuing the state's formal approval of the project, its Nonurbanized Area Formula Program is included in the Statewide Transportation Improvement Program as required by 23 U.S.C. 135; and projects are included in a metropolitan Transportation Improvement Program, to the extent applicable.
- D. The state has provided for a fair and equitable distribution of Federal assistance authorized for 49 U.S.C. Section 5311 within the state, including Indian reservations within the state.
- E. The state recognizes that the subrecipient, rather than the state itself, will be

ultimately responsible for implementing many Federal requirements covered by the certifications and assurances the state has signed. After having taken appropriate measures to secure the necessary compliance by each subrecipient, the state assures, on behalf of each subrecipient, that:

- (1) The subrecipient has or will have, by the time of delivery, sufficient funds to operate and maintain the vehicles and equipment financed with Federal assistance awarded for its project;
- (2) The subrecipient has coordinated or will coordinate to the maximum extent feasible with other transportation providers and users, including social service agencies authorized to purchase transit service;
- (3) The subrecipient has complied or will comply with all applicable civil rights requirements;
- (4) The subrecipient has complied or will comply with applicable requirements of U.S. DOT regulations regarding participation of disadvantaged business enterprises in U.S. DOT programs;
- (5) The subrecipient has complied or will comply with Federal requirements regarding transportation of elderly persons and persons with disabilities;
- (6) The subrecipient has complied or will comply with the transit employee protective provisions of 49 U.S.C. 5333(b), by one of the following actions: (a) signing the Special Warranty for the Nonurbanized Area Formula Program, (b) agreeing to alternative comparable arrangements approved by the Department of Labor (DOL), or (c) obtaining a waiver from DOL; and the state has certified the subrecipient's compliance to DOL;
- (7) The subrecipient has complied or will comply with 49 CFR part 604 in the provision of any charter service provided with equipment or facilities acquired with FTA assistance;
- (8) The subrecipient has complied or will comply with applicable provisions of 49 CFR part 605 pertaining to school transportation operations;
- (9) Viewing its demand responsive service to the general public in its entirety, the subrecipient has complied or will comply with the requirement to provide demand responsive service to persons with disabilities, including persons who use wheelchairs, meeting the standards of equivalent service set forth in 49 CFR 37.77(c), before purchasing non-accessible vehicles for use in demand responsive service for the general public;
- (10) The subrecipient has established or will establish a procurement system, and has conducted or will conduct its procurements in compliance with all applicable provisions of Federal laws, executive orders, regulations, FTA Circular 4220.1E, "Third Party Contracting Requirements," as amended and revised, and other Federal requirements that may be applicable;
- (11) The subrecipient has complied or will comply with the requirement that its project provide for the participation of private enterprise to the maximum extent feasible;
- (12) The subrecipient has paid or will pay just compensation under state or local law to each private mass transportation company for its franchise or property acquired under the project;
- (13) The subrecipient has complied or will comply with all applicable lobbying

- requirements for each application exceeding \$100,000;
- (14) The subrecipient has complied or will comply with all applicable nonprocurement suspension and debarment requirements;
 - (15) The subrecipient has complied or will comply with all applicable bus testing requirements for new bus models;
 - (16) The subrecipient has complied or will comply with all applicable pre-award and post-delivery review requirements;
 - (17) The subrecipient has complied with or will comply with all assurances FTA requires for projects involving real property;
 - (18) The subrecipient has complied or will comply with applicable FTA Intelligent Transportation Systems architecture requirements, to the extent required by FTA; and
 - (19) The subrecipient has complied or will comply with applicable prevention of alcohol misuse and prohibited drug use program requirements, to the extent required by FTA.
- F. Unless otherwise noted, each of the subrecipient's projects qualifies for a categorical exclusion and does not require further environmental approvals, as described in the joint FHWA/FTA regulations, "Environmental Impact and Related Procedures," at 23 CFR 771.117(c). The state certifies that, until the required Federal environmental finding is made, financial assistance will not be provided for any project that does not qualify for a categorical exclusion described in 23 CFR 771.117(c). The state further certifies that, until the required Federal conformity finding has been made, no financial assistance will be provided for a project requiring a Federal conformity finding in accordance with the U.S. Environmental Protection Agency's Clean Air Conformity regulations at 40 CFR parts 51 and 93.
 - G. The state assures that it will enter into a written agreement with each subrecipient stating the terms and conditions of assistance by which the project will be undertaken and completed.
 - H. The state recognizes the authority of FTA, U.S. DOT, and the Comptroller General of the United States to conduct audits and reviews to verify compliance with the foregoing requirements and stipulations, and assures that, upon request, the State and its subrecipients will make the necessary records available to FTA, U.S. DOT and the Comptroller General of the United States. The state also acknowledges its obligation under 49 CFR 18.40(a) to monitor project activities carried out by its subrecipients to assure compliance with applicable Federal requirements.
 - I. In compliance with the requirements of 49 U.S.C. 5311(f), the state assures that it will expend not less than fifteen (15) percent of the amounts of Federal assistance as provided in 49 U.S.C. 5311(f) and apportioned during this Federal fiscal year to carry out a program within the State to develop and support intercity bus transportation, unless the chief executive officer of the state, or his or her designee, duly authorized under state law, regulations or procedures, certifies to the Federal Transit Administrator that the intercity bus service needs of the state are being adequately met.

16. STATE INFRASTRUCTURE BANK PROGRAM

An Applicant for a grant of Federal assistance for deposit in its State Infrastructure Bank (SIB) must provide the following certifications and assurances. In providing certifications and assurances that require the compliance of its prospective subrecipients, the Applicant is expected to obtain sufficient documentation from those subrecipients to assure the validity of its certifications and assurances. FTA may not award assistance for the SIB program to the Applicant until the Applicant provides these certifications and assurances by selecting Categories "1" through 11," and "16."

The state, serving as the Applicant for Federal assistance for its State Infrastructure Bank (SIB) program authorized by section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note, or the State Infrastructure Bank Pilot Program, 23 U.S.C. 181 note, certifies and assures that the following requirements and conditions concerning any transit Project financed with Federal assistance derived from its SIB have been or will be fulfilled:

- A. The state organization, which is serving as the Applicant (state) for Federal assistance for its SIB, agrees and assures the agreement of its SIB and the agreement of each recipient of Federal assistance derived from the SIB within the state (subrecipient) that each transit Project financed with Federal assistance derived from SIB will be administered in accordance with:
 - (1) Applicable provisions of section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note, or of the State Infrastructure Bank Pilot Program, 23 U.S.C. 181 note, and any further amendments thereto;
 - (2) The provisions of any applicable Federal guidance that may be issued;
 - (3) The terms and conditions of Department of Labor Certification(s) of Transit Employee Protective Arrangements that are required by Federal law or regulations;
 - (4) The provisions of the FHWA and FTA cooperative agreement with the state to establish the state's SIB program; and
 - (5) The provisions of the FTA grant agreement with the state that provides Federal assistance for the SIB, except that any provision of the Federal Transit Administration Master Agreement incorporated by reference into that grant agreement will not apply if it conflicts with any provision of National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note, or section 1511 of TEA-21, as amended, 23 U.S.C. 181 note, Federal guidance pertaining to the SIB program, the provisions of the cooperative agreement establishing the SIB program within the state, or the provisions of the FTA grant agreement.
- B. The state agrees to comply with, and assures the compliance of the SIB and each subrecipient of assistance provided by the SIB with, all applicable requirements for the SIB program, as those requirements may be amended from time to time. Pursuant to subsection 1511(h)(2) of TEA-21, 23 U.S.C. 181 note, the state understands and agrees that any previous cooperative agreement entered into with FHWA and FTA under section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note, has been or will be revised to comply with the requirements of TEA-21.

- C. The state assures that the SIB will provide Federal assistance from its Transit Account only for transit capital projects eligible under section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note or under section 1511 of TEA-21, 23 U.S.C. 181 note, and that those projects will fulfill all requirements imposed on comparable capital transit projects financed by FTA.
- D. The state understands that the total amount of funds to be awarded will not be immediately available for draw down. Consequently, the state assures that it will limit the amount of Federal assistance it draws down for deposit in the SIB to amounts that do not exceed the limitations specified in the grant agreement or the approved project budget for that grant agreement.
- E. The state assures that each subrecipient has or will have the necessary legal, financial, and managerial capability to apply for, receive, and disburse Federal assistance authorized by Federal statute for use in the SIB, and to implement, manage, operate, and maintain the project and project property for which such assistance will support.
- F. The state assures that sufficient non-Federal funds have been or will be committed to provide the required local share.
- G. The state recognizes that the SIB, rather than the State itself, will be ultimately responsible for implementing many Federal requirements covered by the certifications and assurances the state has signed. After having taken appropriate measures to secure the necessary compliance by the SIB, the state assures, on behalf of the SIB, that:
 - (1) The SIB has complied or will comply with all applicable civil rights requirements;
 - (2) The SIB has complied or will comply with applicable requirements of U.S. DOT regulations regarding participation of disadvantaged business enterprises in U.S. DOT programs;
 - (3) The SIB will provide Federal assistance only to a subrecipient that is either a public or private entity recognized under state law as having the legal capability to contract with the state to carry out its proposed project;
 - (4) Before the SIB enters into an agreement with a subrecipient to disburse Federal assistance for a project, the subrecipient's project is included in the Statewide Transportation Improvement Program; all projects in urbanized areas recommended for approval are included in the metropolitan Transportation Improvement Program in which the subrecipient is located; and the requisite certification that an opportunity for a public hearing has been provided;
 - (5) The SIB will not provide Federal financial assistance for any project that does not qualify for a categorical exclusion as described in 23 CFR 771.117(c) until the required Federal environmental finding has been made. Moreover, the SIB will provide no financial assistance for a project requiring a Federal conformity finding in accordance with the Environmental Protection Agency's Clean Air Conformity regulations at 40 CFR parts 51 and 93, until the required Federal conformity finding has been made;
 - (6) Before the SIB provides Federal assistance for a transit project, each subrecipient will have complied with the applicable transit employee protective provisions of 49 U.S.C. 5333(b) as required for that subrecipient and its project; and
 - (7) The SIB will enter into a written agreement with each subrecipient stating the terms and conditions of assistance by which the project will be undertaken and

completed, including specific provisions that any security or debt financing instrument that the SIB may issue shall contain an express statement that the security or debt financing instrument does not constitute a commitment, guarantee, or obligation of the United States.

H. The state also recognizes that the subrecipient, rather than the state itself, will be ultimately responsible for implementing many Federal requirements covered by the certifications and assurances the state has signed. After having taken appropriate measures to secure the necessary compliance of each subrecipient, the state assures, on behalf of each subrecipient, that:

- (1) The subrecipient has complied or will comply with all applicable civil rights requirements;
- (2) The subrecipient has complied or will comply with applicable requirements of U.S. DOT regulations regarding participation of disadvantaged business enterprises in U.S. DOT programs;
- (3) The subrecipient has complied or will comply with Federal requirements regarding transportation of elderly persons and persons with disabilities;
- (4) The subrecipient has complied or will comply with the applicable transit employee protective provisions of 49 U.S.C. 5333(b) as required for that subrecipient and its project;
- (5) The subrecipient has complied or will comply with 49 CFR part 604 in the provision of any charter service provided with equipment or facilities acquired with FTA assistance;
- (6) The subrecipient has complied with or will comply with applicable provisions of 49 CFR part 605 pertaining to school transportation operations;
- (7) Viewing its demand responsive service to the general public in its entirety, the subrecipient has complied or will comply with the requirement to provide demand responsive service to persons with disabilities, including persons who use wheelchairs, meeting the standards of equivalent service set forth in 49 CFR 37.77(c), before purchasing non-accessible vehicles for use in demand responsive service for the general public;
- (8) The subrecipient has established or will establish a procurement system, and has conducted or will conduct its procurements in compliance with all applicable provisions of Federal laws, executive orders, regulations, FTA Circular 4220.1E, "Third Party Contracting Requirements," as amended and revised, and other implementing requirements FTA may issue;
- (9) The subrecipient has complied or will comply with the requirement that its project provides for the participation of private mass transportation companies to the maximum extent feasible;
- (10) The subrecipient has paid or will pay just compensation under state or local law to each private mass transportation company for its franchise or property acquired under the project;
- (11) The subrecipient has complied or will comply with all applicable lobbying requirements for each application exceeding \$100,000;
- (12) The subrecipient has complied or will comply with all nonprocurement suspension and debarment requirements;
- (13) The subrecipient has complied or will comply with all applicable bus testing

- requirements for new bus models;
- (14) The subrecipient has complied or will comply with all applicable pre-award and post-delivery review requirements;
 - (15) The subrecipient has complied with or will comply with all assurances FTA requires for projects involving real property;
 - (16) The subrecipient has complied or will comply with applicable FTA Intelligent Transportation Systems architecture requirements, to the extent required by FTA; and
 - (17) The subrecipient has complied or will comply with applicable prevention of alcohol misuse and prohibited drug use program requirements, to the extent required by FTA.
- I. The state recognizes the authority of FTA, U.S. DOT, and the Comptroller General of the United States to conduct audits and reviews to verify compliance with the foregoing requirements and stipulations, and assures that, upon request, the SIB and its subrecipients, as well as the states, will make the necessary records available to FTA, U.S. DOT and the Comptroller General of the United States. The state also acknowledges its obligation under 49 CFR 18.40(a) to monitor project activities carried out by the SIB and its subrecipients to assure compliance with applicable Federal requirements.

##

Selection and Signature Page(s) are provided in section V, Federal Certificates and Assurances, in PROJECT APPLICATION following.

PROJECT APPLICATION



CONTENTS

- I. Project Information**
 - II. Evaluation Criteria Information** - Contains project information and description of the proposed service.
 - II. Evaluation Criteria Information** - follows the same outline as the evaluation and selection criteria, which emphasizes qualitative and quantitative performance information.
 - III. 2005/2006 Budget for Administration and Operating Assistance** - requests budget information and assurances.
 - IV. Application for Capital Assistance** - includes the application for Capital Assistance.
 - V. Federal Certifications and Assurances** - signed Federal Certifications and Assurances
 - VI. Support Documentation** - additional Support Documentation
- Use additional pages where necessary. New applicants should provide as much detail as possible.
 - An electronic format in Microsoft Word 6.0 is available for preparation.
 - Form fields have been added to accommodate responses to application questions. However, time did not allow us to test the use of these form fields. If you do not want to use these response boxes, you may override this tool.
 - Under “View”, Click on “Toolbars,” Click on “Forms.”
 - Last symbol is “Protect Form,” a padlock. If this is “unlocked,” you may move around document and make changes. This must be “locked” or darker in order to insert data into the form fields.
 - Support documents should be attached following the relevant Application Part.
 - Current program applicants can summarize responses and attach the applicable portion of documents only.
 - **For example, you do not need to submit the entire Three-Year Transit Plan. Provide a copy of the Implementation Section only with comments about efforts to implement the program elements.**
 - The Review Panel will use this Application as the main source of your score and priority rating.

Announcement of Funding and Application Availability

Announcements of 5311 Rural Public Transportation funding and application availability will be made by mail to all Indian tribes, councils of governments (COG's), metropolitan planning organizations (MPO's), and to local governments located entirely in non-urbanized parts of Arizona. Applications may only be obtained from ADOT.

Application Form for Current and New Projects

Applicants should complete all sections concisely, including the operating and administrative budget forms. Additional pages may be added if more space is required to respond to any of the questions.

Budget forms should be filled out as completely as possible. ADOT recognizes the difficulty of providing detailed budget information during the project design stage for first-time applicants. Nevertheless, your best estimates will provide ADOT with a rough idea of the magnitude of the project and its cost-effectiveness.

The attached pages comprise the Rural Public Transportation Application form for the current and new projects. The Three-Year Transit Plan described above in the State Requirements Section comprises a significant portion of the current project application. Current projects must submit this plan in at least draft format prior to or concurrent with the application.

Submission of Application

Applications will be considered for funding based on the evaluation and selection criteria listed in these guidelines. On-site visits to appropriate applicants and current performance (of existing projects) will also be weighed.

ADOT may request additional information from applicants to aid in clarification of applications or to discuss the selection process.

After completion of the review period, each of the applicants will be invited to a meeting at which they will discuss, in detail, their application with ADOT's Review Committee. After the review process has been completed, the Review Committee will make recommendations to ADOT administration.

FTA Project Classification and ADOT Awards

In order to facilitate the grant development and approval process, FTA allows projects to be listed in two different categories in the program of projects, depending on how completely requirements have been satisfied:

CATEGORY A includes those projects certified by DOT as having met all the statutory and administrative requirements for approval.

CATEGORY B is those projects that DOT anticipates approving during the current year, but that have not yet met all statutory and or administrative requirements. As the necessary requirements are satisfied, these projects may be advanced to Category A.

The final decision on project selection and funding will be made by the Director of ADOT Public Transportation Division or the designee. ADOT retains sole discretion to determine which projects will be funded and the amount of funds awarded to any given project.

ADOT may award full funding as requested, a percentage of the requested funding or no funding at all. ADOT will notify all applicants of this decision within one week after the final decision is made, anticipated to be in **May 2005**.

APPLICATION AND CERTIFICATION CHECKLIST

Transit Agency Name _____

Contact Person's Name _____

The following documents (if applicable) must be submitted with your application:

I. Project Information

II. Evaluation Criteria Information

III. Application for 2005-2006 Administration and Operating Budgets

IV. Application for Capital Assistance

V. Federal Certifications and Assurances

☐

Federal FY 2005 Certifications and Assurances for FTA Section 5311 Assistance

☐

Affirmation of Application

☐

General Assurances

VI. Support Documentation

☐

1 copy - Letters of Notification to Providers (sample notice included)

☐

Listing of recipients, eligible surface public transportation providers, and labor representation for 13(c)

☐

Map(s) of service area

☐

Public transportation needs survey

☐

Updated copy of three-year transit implementation plan for current applicants

☐

Notice of public hearing announcement (sample notice included)

☐

Public body support letters

☐

Opposition letters to the project

☐

ADA coordination agreement(s) with paratransit providers (if applicable)

☐

Substance Abuse Program implementation checklist

☐

Vehicle Classification and Condition Code Table (PTMS Report)

☐

Vehicle Inventory Form (PTMS Report)

☐

Most Recent TAPS Vehicle Inspection Forms

Applications must be submitted, with an original and two (2) copies, to:

ARIZONA DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION DIVISION

Attn: Matt Carpenter

206 South 17th Avenue, Room 340 B

Phoenix, Arizona 85007

PART I. PROJECT INFORMATION

(Attach any support documents/materials following Part I)

Provide a detailed description of your organization. Be sure your application and budget information are accurate and complete. This information will be used to get a general idea of who you are, what you do, and determine if you qualify for funding assistance under the FTA Section 5311 Program.

1. Transit Agency Name

Contact person's name:

Title:

Address:

City: Zip Code

Phone: FAX:

E-mail:

Web Site Address (if available):

2. Agency Sponsorship: ☐ City
☐ County
☐ Tribe
☐ Other Agency (Specify):

3. Provide a general description of your transit schedule (typical day-to-day operation, current service area(s), days and hours of operation, and describe type of routes).
4. Describe your transit system fare rates and structure.
5. Transit Provider Information: (Brief description of your agency's primary mission; include mission statement, number of years in service, transportation services provided, and general service area boundaries)
6. Number of employees and job titles: (e.g. drivers, mechanics, administrative, etc. Provide job descriptions only if new/substantially modified responsibilities)

7. Structure of your organization (attach organizational chart)
8. Describe your marketing program and promotion methods. (Attach samples of radio and newspaper ads, brochures, and other promotional materials.)
9. Provide the percentages for the type of marketing promotions used by your transit system in the table below:

Promotion	Percentage %
Published schedules	
Newspaper Ads	
Public Service Announcements	
Presentations	
Clean Vehicle Program	
Word of Mouth	
Special Events	
Surveys	
Other	
Total	

PART II. EVALUATION CRITERIA INFORMATION

(Attach any support documents/materials following Part II)

A. APPROPRIATENESS OF SERVICE

Applicants should demonstrate that the proposed service is appropriate to the transportation needs of the general public.

1. Summarize how your transit system will meet the prioritized Public transportation goals, as identified in your three-year plan.
2. Describe your process for serving transit dependent clients in your proposed service area, include trip origins and destinations. How is data collected relative to transit dependent service?
3. Indicate the type of service proposed:

<input type="checkbox"/>	Local route providing essential service;
<input type="checkbox"/>	Local route providing non-essential service;
<input type="checkbox"/>	Regional circular providing essential service; and
<input type="checkbox"/>	Regional circular providing non-essential service.
4. Attach a copy of your proposed schedules and service area boundaries for the service to be provided with funds requested in this application.

B. UTILIZATION OF SERVICE

Applicant should indicate how extensively the requested funds would be utilized in the provisions of the transportation services described in this application.

***For FY 2004, submit October, November, December and January information only.**

1. Indicate the trips per month:

2.

Month	FY 2003	FY 2004	FY 2005*
October			
November			
December			
January			
February			
March			
April			
May			
June			
July			
August			
September			
Total			

3. Indicate the average number of revenue miles per:

Day _____ Month _____ Year _____

4. Does your system connect with other modes of transportation? For example, urban public transit services, airports, or park-and-ride lots.
5. List the local activity centers, health centers, hospitals and employment locations served by your route (Explain the daily schedule service).

6. Based on last year's statistics, estimate the percentage of your service in the following categories:

TRIP PURPOSE	(Must equal 100%)	PASSENGER TYPE	(Must equal 100%)
A. Medical		A. ADULTS	
B. Shopping		B. CHILD	
C. Employment		C. DISABLED	
D. Education		D. ELDERLY	
E. Recreation			
F. Other (Specify)			
% Total:		% Total:	

6. Would you consider any part of your service "Intercity Service?" (Refer to guidelines for definition). If yes, describe frequency and service area.
7. Are there any limitations on services, such as unescorted minors, amount of baggage, bike racks, flag stops? Explain:
8. Explain how you communicate rules and regulations to passengers using the transit system?

C. COORDINATION OF SERVICE

Applicant should provide evidence of coordination or attempts to coordinate with other agencies, e.g.: DES, DHS etc., or public transportation operators in the service area.

1. Explain all steps taken to coordinate all level of services with private non-profit agencies, DES, Department of Human Services, or Senior Centers within your proposed service area, including any Section 5310 providers
2. Describe the procedure(s) used by a passenger to access your service.
3. Is any part of your service subcontracted to another provider/agency? Explain (written agreement in place?, what service is being provided? name of subcontractor?, etc.)
4. Is there a contingency plan for the delivery of transit services when there are insufficient vehicles or drivers? Are written procedures in place?
5. Demonstrate the level of coordination with DES agencies in regards to “Welfare to Work”, “Access to Jobs” TANF, and “Reverse Commute” programs.
6. Do you meet with DES/HUD staff to discuss transit service coordination? Are these agencies represented in your Transit Advisory Committee? Explain.

D. ACCESSIBILITY, SAFETY & TRAINING PROGRAMS

Applicants should describe what policies, programs and other features of their operation encourage and promote accessibility and safety training.

1. As a transit manager, what are you doing to comply with the Americans with Disabilities Act (ADA) requirements, in terms of route deviations, training, lift operation, etc.?
2. How does your transit system provide an opportunity for the public to comment on ADA service? How do they submit comments? Attach sample of surveys. How do you handle complaints?
3. Are your vehicles and equipment capable of accommodating elderly and disabled passengers?

4. Regarding your ADA training requirements, explain how you are meeting these needs in terms of first aid, CPR, defensive driving, emergency reporting, incidents, etc. Explain what training programs are underway or have been accomplished to assure that all safety sensitive, administrative and supervisory personnel are adequately trained:

TRAINING	TRAINING FREQUENCY	TRAINING LOCATION	WRITTEN PROCEDURES? Y/N
CPR			
First Aid			
Emergency Reporting			
Defensive Driving			
Accidents			
Others? Specify			

5. How does the general public know that you provide ADA service?
6. Describe your agency's risk management policy in case of a liability claim, legal action, etc.:
7. Have there been any reported safety violations by employees within the last year?

E. FINANCIAL AND MANAGEMENT CAPABILITY

Applicants should demonstrate the financial capacity and management abilities to meet ADOT Section 5311 program guidelines.

1. Describe your budget experience and qualifications related to the Section 5311 Program:
2. Describe your organization's goals and objectives and the strategies you intend to utilize to implement them.

Goals - are general statements about what an agency should accomplish.

Objectives - translate goals into specific aims that are to be accomplished within a designated time period.

3. Describe your vehicle maintenance plan in terms of documenting vehicles with a long history of maintenance problems and how emergency and non-emergency repairs are handled. Is there a vehicle maintenance plan in place?
4. Explain any efforts to obtain additional local funds within your own community. What has worked and not worked in terms of obtaining additional local funds?
5. List any governmental jurisdictions you have met with over the last year to acquire additional funding for transit services. Include names of agencies, counties, and/or cities. Describe those agencies that have agreed to provide financial assistance or that have refused assistance and why the assistance was refused.

F. LOCAL COMMITMENT TO TRANSIT

1. What efforts are being made to involve local business and civic groups to promote your transit system.
2. Describe your participation in local transportation planning and policy decisions in your community.
3. Describe the commitment of your Transportation Advisory Committee or local government entity with regard to marketing, promotion or outreach efforts.

4. What is the composition of your Transit Advisory Committee and the member's positions within the community? How is input obtained related to service design changes that affect the operation of the transit system?
5. Describe the involvement of elected officials in transit policy issues, including funding support, service changes and approval process.

G. ECONOMIC DEVELOPMENT IMPACTS

Describe the impact your service has on local economic development. It is necessary that your response include reference to such points as:

1. List the local employment and commercial centers that are served by your routes.
2. Any plans on expanding service boundaries or extending service hours to meet additional transit needs?
3. Discuss promotion of transit service as an aid to economic development. Cite any integration activities with local economic development groups, such as Chambers of Commerce.
4. How do you ensure that the community and council members are aware of your intent to apply for Section 5311 funding?
5. What means are used to communicate job openings? How do you determine the best qualified candidate?
7. How does your transit system provide service to public housing and low income communities: Explain.

H. CIVIL RIGHTS TITLE VI

1. How are minority individuals and low-income families informed about the availability of transit services in your community?
2. Provide information about any complaints, lawsuits, allegations or legal actions that have been filed against your agency in the last two years? Explain the nature of the complaint(s):
3. Does your agency have an Equal Employment Opportunity Policy?
4. What means are used by your agency to ensure that hiring, terminating, promoting, demoting and other employee actions are accomplished within Civil Rights Title VI requirements?
5. What means are used to advertise job openings and other information pertinent to minorities seeking employment?
6. What attempts are made to utilize Disadvantage Business Enterprise (DBE) contractors?

PART III. 2005/2006 BUDGET FOR ADMINISTRATION AND OPERATING ASSISTANCE

(Attach any supporting documents/materials following Part III)

Administrative and Operating budgets MUST be completed by the 5311 Rural Public Transportation and Intercity Bus Transportation Applicant. Full fiscal data is required to assist in evaluating fiscal and managerial capability and in evaluating efficiency. Applicants must report the full cost of Operations, regardless of who pays the cost. For example, if a county donates office space, the market value of the donated space must be included on the appropriate line. Volunteer labor is to be accounted for similarly.

Applicants for specialized funds will complete the capital request or cost-benefit comparison for a purchase of service based upon application needs.

The line items used are defined as follows:

LABOR:

Wages and or salaries for drivers, dispatchers, mechanics, clerical, administrative staff, etc.

FRINGE BENEFITS:

Social security match, retirement, health insurance etc.

SERVICES:

Professional/technical services, maintenance, custodial services, management services, advertising fees, other services.

UTILITIES:

Gas, water, electricity, telephone.

INSURANCE:

Vehicle insurance, general liability, etc.

LICENSE FEES AND TAXES:

Taxes and fees paid.

MATERIAL AND SUPPLIES:

Vehicle costs such as fuel, oil, parts, tires, etc.

PURCHASED TRANSPORTATION SERVICES:

Trip purchased from taxi operators.

LEASE AND RENTALS:

Leased-rental vehicles, office space, radios, garage equipment, etc.

DEPRECIATION:

This non-cash item indicates the amount of depreciation on vehicles and other equipment, per the accounting practices of each organization. Most organizations depreciate vehicles on a five-year basis. Therefore, if you have vehicles less than five years of age, you would report depreciation in this line item. For details refer to the audit worksheet or your accountant.

INDIRECT COSTS:

Expenses such as indirect costs or payments to a self-insurance fund must be documented appropriately, which requires an approved cost allocation plan, per FTA Circular 9000.

OTHER:

Dues, subscriptions, travel.

ADMINISTRATIVE EXPENSES:

Include overhead costs such as office supplies, salaries and fringe benefits of the administrative staff, vehicle insurance, marketing, office insurance, etc.

OPERATING EXPENSES:

Are those directly related to vehicle operations, such as fuel, oil, driver and dispatcher salaries and fringe benefits, tires, vehicle maintenance, etc? There are a number of expenses such as utilities, rent and labor costs which can often be split between administrative and operating, per their functional distribution, for example, if two thirds of an agency's office space is used by the operations staff and one third is used by administrative staff, utilities and rental costs should be split between administrative and operating in the same proportion

EXPENSES WHICH CANNOT BE CLAIMED FOR REIMBURSEMENT INCLUDE:

Fines and penalties;

Bad debts;

Entertainment;

Interest;

Expenses associated with providing services in urbanized areas;

Expenses for charter services; and

Expenses paid by other funding sources and for which no FTA funding is requested.

ADMINISTRATION BUDGET

(Whole \$ Only)

(Column Does Not AutoSum)

Position	% Time	Budget Amount
A. Administrative Expenses		
Transit Director/Coordinator		
Other Salaries (Specify below)		
Travel Expenses		
Space Rental		
Audit		
Utilities		
Marketing / Advertising		
Printing		
Rental Equipment		
Substance Abuse Program (from SA Budget)		
Other (Specify below)		
B. Administration Subtotal (This subtotal cannot exceed 40% of the combined federal administrative and operating expenses – see * below)		\$
C. Local Share (at least 20% of line 1)		\$
D. Federal Share Requested (No more than 80% of line 1)		\$
E. Local Share Source **		\$
LOCAL SHARE (Include Source)		
		\$
		\$
		\$
		\$
		\$

* Federal share of Administration Budget plus federal share of Operating Budget divided by Administration Subtotal (Box B) cannot exceed 40%.

** All in-kind contributions used as part of the local match must also be listed as cost items under Part A above.

SUBSTANCE ABUSE BUDGET

A. Expenses	Budget Amount
Collection Site(s)	
Medical Review Officer	
Laboratory Testing	
Related Travel	
B. Total Expenses	
C. Local Share (at least 20% of line B)	
D. Federal Share (No more than 80% of line B)	
Local Share Source	

Note: These costs should be estimates developed by applicants in coordination with ADOT-PTD.

OPERATING BUDGET

A. Operating Expenses	Budget Amount
Driver Salaries	
Other Salaries (Specify below)	
Total Fringe Benefits	
Fuel and Oil	
Tires	
Parts	
Maintenance Cost	
<i>Or, Tires, Parts, Maintenance Cost</i>	
Vehicle Licenses	
Vehicle Insurance	
Uniforms	
Other Expenses (Specify below)	
TOTAL ELIGIBLE OPERATING COSTS	(1) \$
B. Fare Revenues (see explanation below)	\$
“Other Operating Revenues”	\$
TOTAL: (Fare Revenues & Other Operating Revenues)	(2) \$
C. Net Operating Costs (fixed route cannot exceed 22% and demand response must not exceed 17%) (subtract line 2 from line 1)	(3) \$
D. Local Share (at least 50% of line 3)	(4) \$
E. Federal Share Requested (no more than 50 % of line 3)	(5) \$
Local Share Source *	Amount
	\$

- Be sure to include source and amount for fare differential, if any. Explanation of Fare Revenues calculation - see Program Budget Section of Guidelines. Projects, which do not expect to meet the minimum, required farebox recovery ratio (22% for fixed route, 17% for demand responsive systems) must provide the difference from local funds.
- If “Other Operating Revenues” are expected to be utilized, total both fare revenues and other operating revenues must be subtracted from the gross operating expenses.

- All in-kind contributions used, as part of the local match must also be listed as cost items under Part A above.

BUDGET SUMMARY

	Capital	Operating	Administration	TOTAL
Fare Revenues	XXXXXX		XXXXXXXXXX	
Other Operating Revenues	XXXXXX		XXXXXXXXXX	
Local Share				
Federal Share				
TOTAL				

NOTE: You may be required to provide written justification for the estimates used in preparing this information. Use the **PROJECT SUMMARY STATISTICS** form on the following page as a guide to determine the appropriate entries.

Ridership:

The number of one-way passenger trips for the periods requested. A one way passenger trip occurs each time a passenger boards a vehicle. For example, transporting a person to and from a doctor's office constitutes two trips.

Mileage:

Refers to the total number of miles you expect vehicle(s) to be driven

Vehicle Hours:

Refers to the number of hours vehicles are in revenue service. To obtain the number, multiply hours of daily operation times days per week the system will operate times weeks of service per year times the number of vehicles to be used. For example, if the service will be available 8-5, M-F, for 50 weeks during the year using 3 vehicles, the vehicle hours would be 6,750 (9 hours x 50 weeks x 3 vehicles).

Passenger Revenues:

Farebox revenues are fares paid by the riders. Amounts listed here are the anticipated farebox revenues and must be used to offset the cost of system operation. (Farebox revenues cannot be used to satisfy match requirements.)

Other Operating Revenues:

Are those cash funds received from other non-federal sources (i.e., private donations/contributions, dedicated tax revenues, state or local appropriations and net income generated from advertising and concessions?

Donations: Those funds donated in lieu of passenger fares.

PROJECT SUMMARY STATISTICS

	Actual Ridership (FY 04-05) + (if in operation)	Increase Expected In = (FY 05-06)	Total Expected In FY 05-06	
Annual Ridership				(1)
Annual Mileage				(2)
Annual Vehicle Service Hours				(3)
Annual Fare Receipts: Other Operating Revenue: Total Operating Revenues:			\$ \$ \$	(4)
Total Non-Capital Costs (Administration Plus Operating Costs)			\$	(5)
Administration as a percent of Non-Capital Costs (Administration divided by # 5 above)			\$	(6)
Farebox /Other Oper. Revenue Recovery Ratio (#4 divided by #5)			%	(7)
Cost per Passenger Trip (#5 divided by #1)			\$	(8)
Cost per Passenger Mile (#5 divided by #2)			\$	(9)
Cost per Vehicle Service Hour (#5 divided by #3)			\$	(10)
Federal Share of Non-Capital costs (Federal Share of Administration plus Federal Share of Operations)			\$	(11)
Federal Cost per Passenger Trip (#11 divided by #1)			\$	(12)
Federal Cost per Mile (#11 divided by #2)			\$	(13)
Federal Cost per Vehicle Service Hour (#11 divided by #3)			\$	(14)

- Systems operating in more than one mode must calculate the above statistics separately for each mode. Systems operating fixed route must calculate the above for each route.

PART IV. APPLICATION FOR CAPITAL ASSISTANCE FY 2005-2006

(Attach any support documents/materials following Part IV)

- Capital assistance will be derived from STP flexible funding at a 93/7 match rate.
- Additional FTA funding may become available at an 80/20 match rate.

NAME OF PROJECT: _____

CONTACT PERSON: _____

TELEPHONE #: _____

DATE: _____

ELIGIBLE REQUESTS:

- NEW OR USED TRANSIT VEHICLES
- REHABILITATION OF VEHICLES
- ACCESSIBILITY CONVERSIONS
- COMMUNICATION EQUIPMENT
- COMPUTERS.

(Additional pages may be added if more space is required to respond to any of the questions)

A. NEW VEHICLE ACQUISITION

1. Describe the requested vehicle in some detail including: Vehicle Specifications indicating number of passenger seats, seating arrangement, special accessibility devices, wheelchair securement system, drive train data, etc.
2. Will this proposed request be used as a replacement? What is the age and mileage of the replaced vehicle? Will this vehicle be retired from service? If vehicle is not being retired from service, what is your justification for a fleet increase?
3. Will acquisition vehicle be used in fixed route, deviated route, or demand response service? Explain fully the mode of operation.
4. Will this vehicle be fully accessible to the disabled, in accordance with ADA guidelines? Attach statement that will assure ADOT that disabled patrons will receive a comparable level of service.

B. VEHICLE REHABILITATION

Describe the vehicle to be rehabilitated. Include information on year, make and model, condition, driveline information, current mileage, seating capacity and what you plan to rehab. Is this vehicle accessible?

1. Describe the proposed tasks to be done as part of this rehabilitation under the appropriate category:

Drive Line:

Paint:

Suspension/Brakes:

Interior:

Accessibility:

Other:

C. COMMUNICATION EQUIPMENT

1. Describe the communication equipment requested. Is this a replacement of older units or additions?
2. Explain why this equipment is essential for the operation of your service?

D. OTHER EQUIPMENT (Specify)

E. COST ESTIMATES

List cost estimates for all above requested items. Itemize cost estimates for any requests for vehicle rehabilitation. Please note – each cost estimate should be listed in both the following 93/7 match, as well as 80/20 match ratio tables. If applying for capital funding, both tables must be completed.

Requested Item	Quantity	Unit Cost	Subtotal

TOTAL CAPITAL COST: \$_____

FEDERAL SHARE: **93%*** \$_____

LOCAL SHARE: **7%** \$_____

*Funding for capital assistance will be provided from FY 2005 STP “flex funding” that requires a decreased local match. The funding at decreased local match rates will be applicable on a year-by-year basis and may not be available in future years.

Requested Item	Quantity	Unit Cost	Subtotal

TOTAL CAPITAL COST: \$_____

FEDERAL SHARE: **80%** \$_____

LOCAL SHARE: **20%** \$_____

PART V. FEDERAL CERTIFICATES AND ASSURANCES

FEDERAL FISCAL YEAR 2005 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS

(Signature page alternative to providing Certifications and Assurances in TEAM-Web)

Name of Applicant: _____

The Applicant agrees to comply with applicable requirements of Categories 01 - 16. ☐
(The Applicant may make this selection in lieu of individual selections below.)

OR

**The Applicant agrees to comply with the applicable requirements of the following
Categories it has selected:**

<u>Category</u>	<u>Description</u>	
01.	Required of Each Applicant	<input type="checkbox"/>
02.	Lobbying	<input type="checkbox"/>
03.	Private Mass Transportation Companies	<input type="checkbox"/>
04.	Public Hearing	<input type="checkbox"/>
05.	Acquisition of Rolling Stock	<input type="checkbox"/>
06.	Bus Testing	<input type="checkbox"/>
07.	Charter Service Agreement	<input type="checkbox"/>
08.	School Transportation Agreement	<input type="checkbox"/>
09.	Demand Responsive Service	<input type="checkbox"/>
10.	Alcohol Misuse and Prohibited Drug Use	<input type="checkbox"/>
11.	Interest and Other Financing Costs	<input type="checkbox"/>
12.	Intelligent Transportation Systems	<input type="checkbox"/>
13.	Urbanized Area, JARC, and Clean Fuels Programs	<input type="checkbox"/>
14.	Elderly and Persons with Disabilities Program	<input type="checkbox"/>
15.	Nonurbanized Area Formula Program	<input type="checkbox"/>
16.	State Infrastructure Bank Program	<input type="checkbox"/>

(Page Two of this Signature Page must be appropriately completed and signed as indicated.)

FEDERAL FISCAL YEAR 2005 FTA CERTIFICATIONS AND ASSURANCES
SIGNATURE PAGE

(Required of all Applicants for FTA assistance and all FTA Grantees with an active capital or formula project)

AFFIRMATION OF APPLICANT

Name of Applicant:

Name and Relationship of Authorized Representative:

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes, regulations, executive orders, and Federal requirements applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2005.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances in Appendix A, should apply, as required, to each project for which the Applicant seeks now, or may later, seek FTA assistance during Federal Fiscal Year 2005.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document and any other submission made to FTA, and acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, as implemented by U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal fraud provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with the Urbanized Area Formula Program, 49 U.S.C. 5307, and may apply to any other certification, assurance, or submission made in connection with any other program administered by FTA.

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

Signature: _____

Date: _____

Name: _____

Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant):

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under state and local law to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature _____

Date: _____

Name _____

Attorney for Applicant

Each Applicant for FTA financial assistance (except 49 U.S.C. 5312(b) assistance) and each FTA Grantee with an active capital or formula project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.

GENERAL ASSURANCES

To the best of my knowledge, having read the program guidelines (FTA Circular 9040.1B, July 1, 1988) and referenced assurances, and as an authorized representative, I certify that the APPLICANT has the legal authority and is willing to make as part of the contract between the State of Arizona and the APPLICANT for Rural Public Transportation financial assistance, the following assurances and warranties:

- A. The APPLICANT has the requisite fiscal, managerial, and legal capability to carry out the Rural Public Transportation Program and to receive and disburse federal funds.
- B. Some combination of state, local, and private funding sources has or will be committed to provide the required local share.
- C. The APPLICANT has or will have by the time of delivery, sufficient funds to operate the vehicles and/or equipment purchased under this project, as applicable.
- D. The APPLICANT assures affirmative compliance with Title VI of the Civil Rights Act of 1964 and related statutes.
- E. Private transit and paratransit operators have been afforded a fair and timely opportunity to participate to the maximum extent feasible in the provision of the proposed transportation services by the APPLICANT.
- F. The APPLICANT assures that it will provide a drug - free workplace.
- G. The APPLICANT assures affirmative compliance with 49 CFR Part 653, 49 CFR Part 40, and 49 CFR Part 29, or successor statutes, the U.S. DOT anti-drug programs.
- H. The needs of the elderly and disabled persons have been addressed by the APPLICANT, pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC 794).
- I. The APPLICANT has demonstrated acceptable efforts to achieve coordination with other transportation providers and users, including social service agencies capable of purchasing service.
- J. The APPLICANT has complied, as applicable, with the labor protection provisions of Section 13(c) of the Urban Mass Transportation Act of 1964, as amended.
- K. The APPLICANT assures that it will comply with applicable provisions of the Americans with Disabilities Act (ADA), otherwise known as Public Law No. 101-336 and applicable provisions of 49 CFR Parts 27, 37 and 38: Transportation for Individuals with Disabilities; Final Rule.
- L. The APPLICANT has worked to ensure the continuation of existing transportation revenues to complement Rural Public Transportation funds.

SIGNATURE: _____

DATE: _____

TITLE OF AUTHORIZED OFFICIAL: _____

PART VI. SUPPORT DOCUMENTATION

(Attach any support documents/materials following Part VI)

The following documents are to be submitted with your application. Some of the documents include sample forms, as indicated.

Documentation Required	Sample Included
Copies of letters of notification provided	X
Listing of recipients, eligible surface public transportation providers, and labor representation for 13(c)	X
Map(s) of service area	
Public transportation needs survey	
Three year transit plan for current applicants (Implementation/Alternatives Section Only)	
Notice of public hearing announcement (sample language included)	X
Public body support letters	
Opposition letters to the project	
ADA coordination agreement(s) with paratransit providers (if applicable)	
Substance abuse program implementation checklist	X
Total Fleet Inventory	X
TAPS Annual Vehicle Inspections (for each vehicle if available)	X

LETTER OF NOTIFICATION TO PROVIDERS
(Use your letterhead)
S A M P L E

Dear _____:

This is to notify you that _____ (your agency) is applying for financial assistance under the ADOT Rural Public Transportation Program authorized under 49 U.S.C. Section 5311. This program provides for capital, administrative and operating assistance for public transportation programs in rural and small urban areas. _____ (your agency) proposes to provide the following service:

(Give a brief but complete description of your proposed service including: 1. The Service Area; 2. Specific Routes; 3. Days and Hours of Operation; 4. Specific Schedules; 5. Fare Schedule. Attach more detailed information, if appropriate.)

The purpose of this letter is to advise you of our application and to insure that this proposal would not represent a duplication of your service. Private and public transit and paratransit operators may receive reimbursement funds through purchase of service agreements. Therefore, we solicit your involvement in our proposed service.

I ask that you contact this office in writing within 10 days if you believe that you can provide all or a part of this service or if you have specific objections to the proposed project. In your letter you should state your specific objections or counter proposal. If you support the application, please complete the enclosed sign-off letter and return it to this office.

Our address is: (your address)

Also, please send a copy of your letter to the Arizona Department of Transportation, which is the funding agency for the Rural Public Transportation Program. Their address is:

Arizona Department of Transportation
Public Transportation Division
206 South 17th Avenue, Room 340 B
Phoenix, Arizona 85007
Attention: Matt Carpenter

Should you desire any additional information on the proposed service, please contact me at _____.

Sincerely,

LISTING OF RECIPIENT, ELIGIBLE SURFACE PUBLIC TRANSPORTATION PROVIDERS AND LABOR REPRESENTATION FOR 13 (c).

(See Sample on Next Page)

Project	Recipient	Other Surface Public Transit Providers	Union Representation of Employees if any)

**LISTING OF RECIPIENTS, ELIGIBLE SURFACE PUBLIC TRANSPORTATION
PROVIDERS AND LABOR REPRESENTATION FOR 13(c)**

S A M P L E

Project	Recipient	Other Surface Public Transit Providers	Union Representation of Employees (if any)
Application for public transport- ation funds under Rural Public Trans. Program for Salt River/Pima/ Maricopa Comm. Transit System Fixed Route/ Demand Response Service on the salt River /Pima Maricopa Indian reservation East of Scottsdale, Arizona and extending into nearby communities of Mesa, Tempe, and Scottsdale	Salt River/ Pima/Maricopa Community Transit System Route 1, Box 216 Scottsdale, AZ 85266 Contact Person: Dixon Andreas Phone Number: 941-7309	Checker Cab Co. 1602 S. 2nd St. Phoenix, AZ 85004	No Union
		Yellow Cab Co. 156 E. Mohave Phoenix, AZ 85004	No Union
		Phoenix Transit System 2225 Lower Buckeye Rd., Suite 223 Phoenix, AZ 85030	ATU
		Sun Valley Bus Lines, Inc. 1350 N. 22nd Ave. Phoenix, AZ 85015	No Union
		Greyhound Bus Lines 525 E. Washington Phoenix, AZ 85004	ATU

NOTICE OF PUBLIC HEARING

SAMPLE LANGUAGE

Notice is hereby given that a public hearing will be held by (applicant) at (address of hearing location) at (time and date) for the purpose of considering a project for which financial assistance is being sought from the U.S. Department of Transportation. Grant funds will be used to (describe project, including location, items to be purchased, constructed, etc.).

At the hearing, (applicant) will afford an opportunity for interested persons or agencies to be heard with respect to the social, economic and environmental aspects of the project. Interested persons may submit oral or written evidence and recommendations with respect to said project.

A copy of the grant proposal is currently available for public inspection at (location).

Applicant's Authorized Representative

**SUBSTANCE ABUSE
PROGRAM IMPLEMENTATION CHECKLIST**

Check Box Below

If Applicable

- ☐ Do you have a program that is in compliance with Federal, State and Local regulations?
- ☐ If your program includes more than what is mandated by the regulations, is this reflected in the written policies?
- ☐ Have you made the necessary provisions for recordkeeping and reporting?
- ☐ Do they include procedures to protect the individual's right to privacy and the prevention of unauthorized release of test result information?
- ☐ Have you selected qualified personnel who will be responsible for implementing and monitoring the program?
- ☐ Have they been provided with sufficient training?
- ☐ Have you informed your employees in writing of your agency's drug abuse policy and its implementation?
- ☐ Have you established a minimum of 60 minutes of EAP training for drivers and supervisors?
- ☐ Are these programs ongoing to account for staff turnover and other changes?
- ☐ Have you given the employees additional information on alcohol misuse?
- ☐ Have you explained to the employees their responsibilities as they relate to the drug and alcohol testing policy and program?
- ☐ Have you established a supervisory awareness training program that meets the minimum requirements of the Regulations?
- ☐ Have you established a minimum of 60 minutes of training for all safety sensitive employees on the effects of drugs in the workplace, as well as in their personal lives?

Use the following vehicle condition and classification code table to fill in and complete the information on the total vehicle fleet inventory table. On the Total Fleet Vehicle Inventory list, please provide individual vehicle information on all vehicles in your fleet.

VEHICLE CLASSIFICATION

AND

VEHICLE CONDITION CODE TABLES

(Use the following codes for completing the table on the next page.)

VEHICLE CLASSIFICATION TYPE	CODE
HEAVY DUTY 40 + FOOT BUSES	1
HEAVY DUTY 40 + FOOT BUSES	2
MEDIUM DUTY 20-30 FOOT BUSES OR MINI-BUSES	3
LIGHT DUTY 20-30 FOOT VANS (Larger Cutaways, and Maxi-Vans, etc.)	4
LIGHT DUTY 15-25 FOOT VANS (Small Cutaways, Mini-Vans , Small Maxi-Vans (including lift vans) & Suburbans)	5
SUPPORT VEHICLES (Sedans, Station Wagons, Pickups, etc.,)	6
NOTE: Vehicle footage is measured from bumper to bumper)	
VEHICLE CONDITION DEFINITIONS	CODE
EXCELLENT: Brand new or less than one year old, no major problems exist, or only routine preventative maintenance is required.	5
GOOD: Elements are in good working order, requiring only nominal or infrequent minor repairs.	4
ADEQUATE: Requires frequent minor repairs or infrequent major repairs. Elements are in adequate working order and the asset's usage can continue.	3
POOR: Requires frequent major repairs, elements are in poor working order, or asset is technologically dated and requires major retrofit. Future usage requires significant investment, which may or may not be cost-effective.	2
FAILURE: In sufficiently poor condition that continued use is impossible or non-cost-effective.	1

TOTAL FLEET - VEHICLE INVENTORY AND CONDITION (Includes : ADOT / FTA **AND** NON - ADOT / FTA Vehicles)

RURAL PUBLIC TRANSPORTATION PROVIDER NAME (Sec. 5311) :[illegible]

NOTE: SEE PREVIOUS PAGE FOR CONDITION CODES AND VEHICLE CLASSIFICATION CODES. USE ADDITIONAL SHEETS IF NECESSARY.



ARIZONA DEPARTMENT OF TRANSPORTATION
INSPECTION MPO/COG

ADOT TRANSIT TEAM - SECTION 5311

EXAMPLE

PAG

ANNUAL VEHICLE INSPECTION - (For Report Year 2004-2005)

TO:	(Agency Name) (Agency Address) (P.O. Box) City, State, Zip Phone :	ANNUAL VEHICLE INSPECTION RE: 1995 FORD ID # 1FTHS41H1PH888992 Issued: 05/24/95
-----	--	---

FIELD INSPECTION STATISTICS

Inspection Appointment Date & Time: _____ Last Inspection On: 03/06/1999

Inspection Appointment Location: _____

Provider Representative: _____

Inspector: _____

FILL IN ALL BLANKS		YES	NO	YES
1.	Verify vehicle ID Number: 1FTHS41H1PH888992 Numbers match?			
2.	Verify vehicle base. Is it still (List vehicle base address) ?			
3.	ODOMETER READ AS OF ____/____/____ READ WAS 9,067 as of 03/06/1999			
4.	Assess overall condition of vehicle: 5 = Excellent, 4 = Good, 3 = Adequate, 2 = Poor, and 1 = Out of Service			
5.	Valid insurance card in vehicle?			
6.	Vehicle starts?			
7.	Current license plates?			
8.	Vehicle lift-equipped?			
9.	Lift operational?			
10.	Vehicle operational?			
11.	Recommend lien release?			
12.	Previous Year Comments: No comments recorded			
13.	Today's Comments: _____			

WHEN FINISHED MAIL TO:



ARIZONA DEPARTMENT OF TRANSPORTATION
ADOT TRANSIT TEAM - SECTION 5311

EXAMPLE

TRANSPORTATION PROVIDER ANNUAL REPORT
JULY 2004 TO JUNE 2005

(THIS WINDOW WILL SHOW
THE NAME AND ADDRESS OF
EITHER THE ADOT CONTACT
PERSON OR COG PLANNER.)

TO: (Agency Name)
(Agency Address)
(P.O. Box)
City, State, Zip

RE: ANNUAL REPORT FOR VEHICLE
1995 FORD
ID # 1FTHS41H1PH888992
Issued: 05/24/95

DIRECTIONS: READ CAREFULLY AND FILL OUT INFORMATION. ATTACH A COPY OF YOUR INSURANCE CERTIFICATE AND MAIL TO ADDRESS LISTED IN UPPER RIGHT CORNER. INADEQUATE INSURANCE IS A VIOLATION OF YOUR STATE CONTRACT.

PLEASE CHECK THE INFORMATION BELOW AND CORRECT AT RIGHT IF NECESSARY:

Contact: (Agency Contact Person's Name) _____
Provider: (Transportation Provider's Agency Name) _____
Address: (Agency Address) _____
Phone: (Agency Telephone Number) _____
Service area: (Description) _____
Vehicle Base: (Address where vehicle is stored) _____

Liability Insurance: This vehicle is required to carry \$5,000,000 in Liability coverage. Does It?	YES	NO
Uninsured Coverage: This vehicle is required to carry \$300,000 in uninsured motorist coverage. Does It?	YES	NO
ADOT as Additional Insured: Does the insurance certificate show ADOT as the additional insured?	YES	NO
ADOT as Loss Payee: Does the insurance certificate show ADOT as Loss Payee?	YES	NO

FILL IN ALL BLANKS WITH INFORMATION FROM JULY
2004 THROUGH JUNE 2005.

1. TRANSIT OPERATING COSTS: Enter the total annual amount of operating costs incurred by operating this vehicle this year. If you have a fleet, divide the total amount by the numbers of vehicles and enter the number below. (5310 Only)

\$ _____

2. TRANSIT ADMINISTRATION COSTS: Enter the total amount of administrative costs incurred this report year which would be solely attributed to this vehicle. If you have a fleet, divide the number of vehicles and enter the number below: (5310 Only)

\$ _____

3. ANNUAL MAINTENANCE COSTS: Enter the amount of annual maintenance cost this vehicle has generated during the report year.

4. MONTHS OPERATED: Enter the total number of months this vehicle was operated during the report year.

SECTION 5310 PROVIDERS ONLY:

5. NUMBER OF CLIENTS: Enter the number of clients (unduplicated) that this vehicle serves. (5310 Only)

6. VEHICLE SCHEDULE: Enter the weekly operating schedule of this vehicle in the space below. Use the following codes: Monday = M, Tuesday = T, Wednesday = W, Thursday = R, Friday = F, Saturday = S, Sunday = D.

Example: Monday through Friday 8AM to 5PM.

ENTER: M-F 8A-5P

7. PASSENGER TRIPS: Enter the total number of annual passenger trips made this report year in this vehicle ONLY. A trip consists of one passenger making a one-way trip from an origin to a destination. (5310 Only)